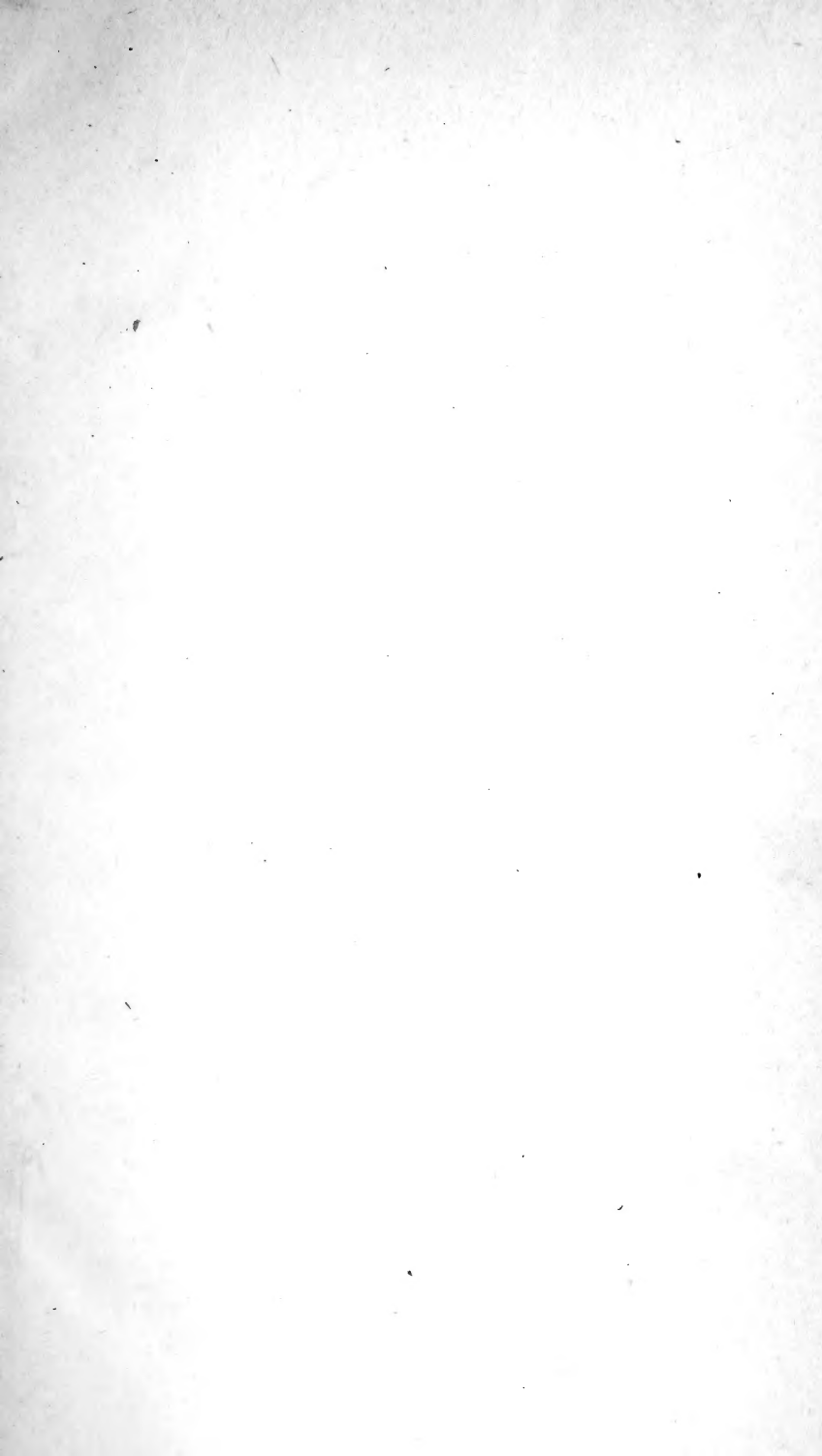


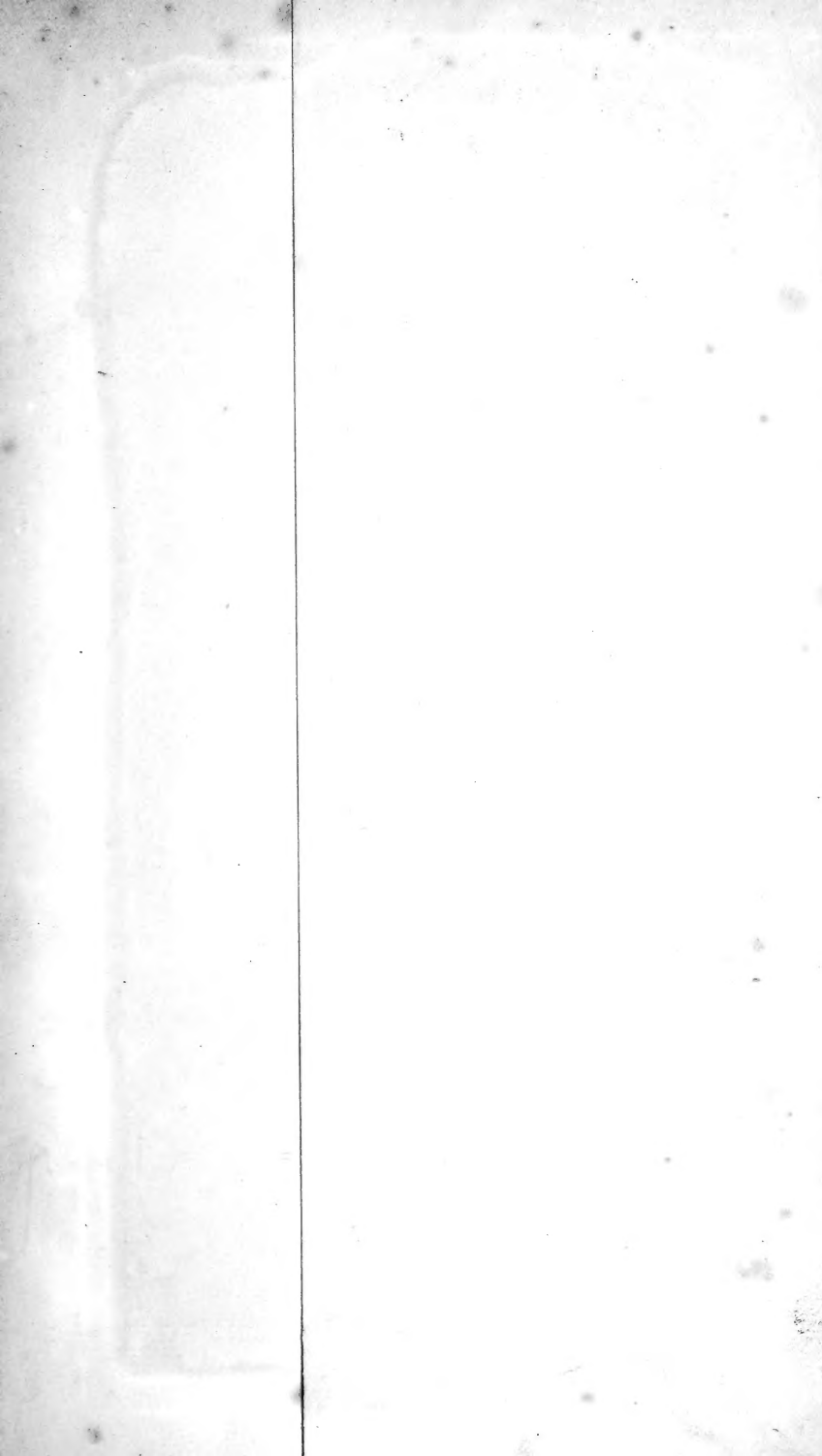


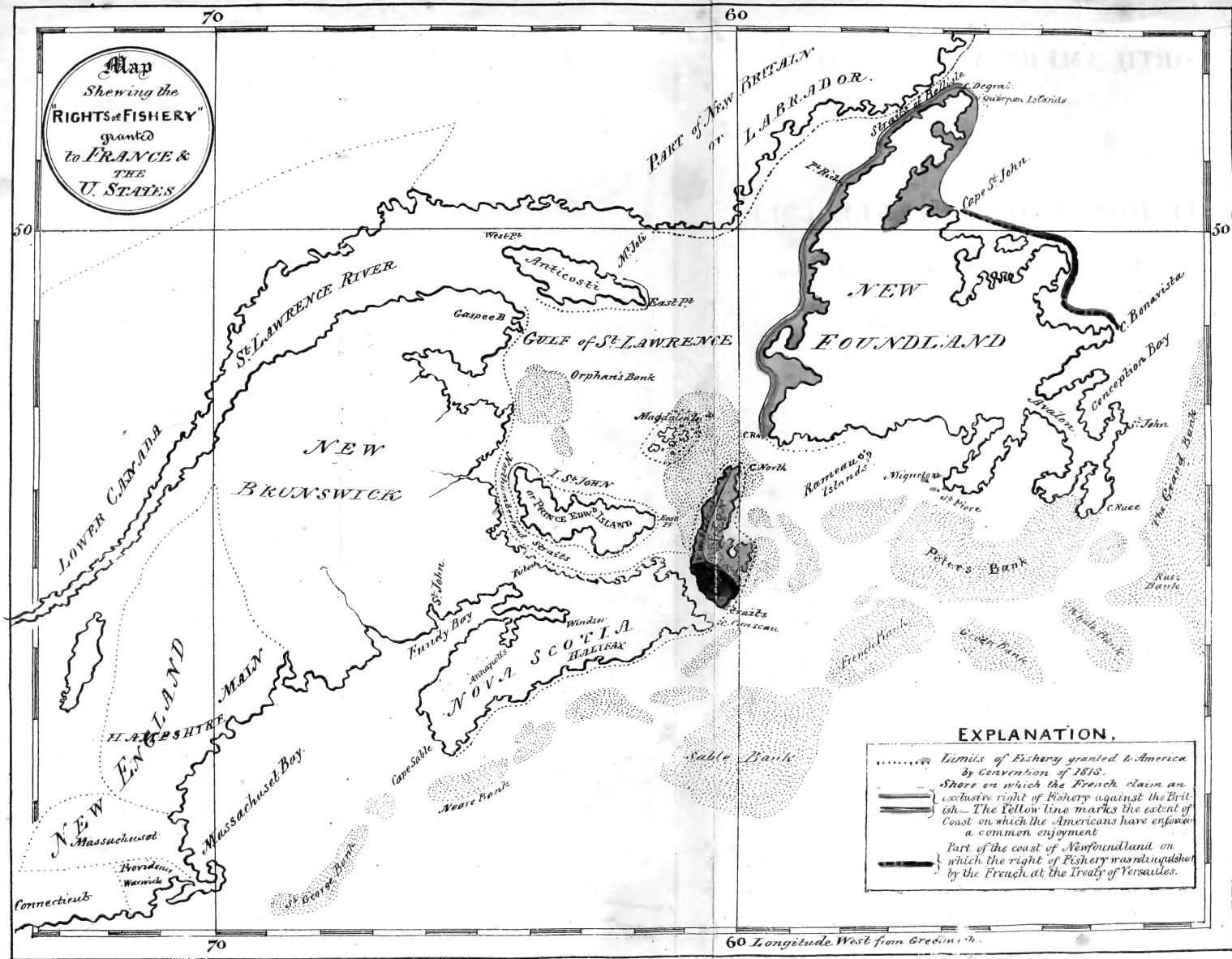
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LETTERS

TO THE  
RIGHT HON. E. G. S. STANLEY, M.P.

UPON THE  
EXISTING TREATIES WITH FRANCE AND AMERICA,

AS REGARDS  
THEIR "RIGHTS OF FISHERY"

UPON THE COASTS OF  
NOVA SCOTIA, LABRADOR, AND NEWFOUNDLAND;

THE  
VIOLATIONS OF THESE TREATIES BY THE SUBJECTS  
OF BOTH POWERS, AND THEIR EFFECT UPON THE COMMERCE, EQUALLY  
OF THE MOTHER COUNTRY AND THE COLONIES;

WITH  
**A General View of the Colonial Policy,**

SHEWING THAT THE  
BRITISH DEPENDENCIES ARE NOW PREPARED TO  
PAY THE EXPENSES OF THEIR LOCAL GOVERNMENTS; THAT THE  
MILITARY EXPENDITURE, IF CHARGEABLE TO THEM, IS FULLY COUNTER-  
BALANCED BY THE COMMERCIAL ADVANTAGES DERIVED FROM  
THEM; AND THAT THEIR PRESERVATION, AS INTEGRAL  
PARTS OF THE EMPIRE, IS ESSENTIAL

TO THE  
COMMERCIAL PROSPERITY AND POLITICAL SUPREMACY  
OF  
THE BRITISH NATION.

—◆—  
BY GEORGE R. YOUNG, ESQ.

OF HALIFAX, NOVA SCOTIA.

LONDON:  
JAMES RIDGWAY AND SONS, PICCADILLY.

MDCCCXXXIV

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TO

GEORGE R. ROBINSON, ESQ. M.P.

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SIR,

I FEEL much pleasure in thus acknowledging the permission you have given me, of placing your name in front of this work. As a Colonist, it is, on my part, but an inadequate return for the eminent services you have rendered in Parliament to the British Dependencies, whenever any question has been agitated, involving their rights or their interests. It will gratify me, if the views I have endeavoured to illustrate shall inspire here a feeling of respect for those public services, similar to that which is entertained for them in the Colonies. They are of equal value to both countries—to England as to her Dependencies, for satisfied I am by protecting these distant appendages of the Crown, you are supporting one of the main pillars of the British marine and commercial prosperity.

When I left Nova Scotia, in the month of June last, I had no intention of embodying my views upon Colonial Policy in any publication. The notice given by you in July, of an intended motion in the House of Commons, during the present session, upon the subject of the

“ Newfoundland Fisheries,” and the ignorance—to me astonishing—which prevails among many commercial and intelligent men in this country, relative to the natural resources and advancement of the North American Colonies, have induced me to embody the local information I possess, with the view equally of assisting your labours, and lending my humble aid to remove those ignorant and unfavourable impressions. The better these Colonies are known, the more they will be valued; and to inspire an attachment for them is to extend and knit the circle of national feeling.

The opinions I advocate, although in accordance with your own, necessarily run counter to those of an intelligent and powerful party in this country. Their views I regard as destructive of the commercial resources and the political supremacy of England! I embody my dissent, however, in calm and respectful language. Truth, like virtue, delights in moderation. In the examination of my opinions, I trust my opponents will extend an equal candour.

Believe me, Sir, I say it with no pretended modesty, that it is the local knowledge I have acquired, during a residence from childhood in one of the finest of these Dependencies, and not the conviction of any adequate ability, which has induced me to embark in this important question. There are many personal considerations which would have restrained me from engaging

in it, but the crisis is imposing and animating ; and I shall be more than repaid for my labour, if I shall be able to add a fresher fervour to that feeling of reciprocal attachment—founded upon the sense of reciprocal advantages, which *exists* between a large body of the intelligent classes here, and in British North America. I take this assurance in part upon your own authority. You have said lately in Parliament—“ I know the *sound* part of our population are attached to their colonial fellow-subjects,” I trust it may be so ; “ and I know also,” to this I beg to add my warmest confirmation, “ that a similar feeling exists in the Colonies.”

I have the honour to be,

Sir,

Your obedient Servant,

GEORGE R. YOUNG.

*Cecil Street, Strand,*

*Feb. 1834.*





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# THE BRITISH NORTH AMERICAN COLONIES.

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## LETTER I.

*Feeling of the Colonies relative to the Fisheries—A tone of warm and affectionate Loyalty prevails in them—The Ministry and British People may fan or extinguish it—Injuries sustained—The power of redress in the reach of the Cabinet.*

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TO THE

RIGHT HON. E. G. S. STANLEY, M.P.

SECRETARY OF STATE FOR THE COLONIES.

&c. &c. &c.

“Britain exists all over the world in her Colonies. These alone give her the means of advancing her industry and opulence for ages to come. *They are portions of her territory more valuable than if joined to her Island.* The sense of distance is destroyed by her command of ships, whilst that very distance serves as the feeder of her commerce and marine. Situated in every Continent, lying in every latitude, these her out-dominions make her the centre of a trade, already vast and perpetually advancing---a home trade, and a foreign trade---for it yields the riches of both, as she controls it all at her will. They take off her redundant population, yet make her more populous ; and are destined, under the policy already commenced towards them, and which in time she will far more extensively pursue, to expand her empire, commercial, manufacturing and

maritime, to dominions to which it would not be easy to affix limits."---  
*Rush's Residence at the Court of London.*

"I can assure the House, that if the Honourable Member, or any other individual, can suggest any mode of conduct which is likely to promote the prosperity of the Colonies, I shall be most happy to attend to it."---*Speech of Sir George Murray in the House of Commons, while Secretary for the Colonies, in a Debate upon the Trade and Fisheries of Newfoundland.*

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SIR,

WHEN I had formed the determination of writing the following letters, upon the existing treaties with France and the United States, as affecting their "rights of fishery" upon the shores of Nova Scotia and Newfoundland, I intended to apply for the favour of publication in some of the daily newspapers. As I proceeded with the investigation, the subject extended into collateral but necessary inquiries; and on submitting my views to my friends, whose judgment I hold in higher respect than my own, they advised me to publish them together, that the uniformity and stream of the argument might not be affected. I offer this explanation not for their *matter*, but their *form*. The views I have advocated are sanctioned by my own judgment; but I seek for them no favour, if they are not supported by facts, and the deductions of experience. I would reject them myself, if I did not believe them to be consistent with truth and political philosophy.

The inquiry I prosecute necessarily compels me to arraign the measures of former Administrations. The pledge given by Sir George Murray upon this question continues to the present hour unredeemed. In the opinion of the "enlightened public" of the Colonies, their best interests have been sacrificed, by the policy

of the Government. They have the charity to believe, that this is to be attributed more to ignorance than to intention. The extent of that sacrifice I shall now endeavour to develope. I wish to press strongly upon your notice the *practical* evils to which we are subjected, and which it is in the power of the Government, at least, partially to relieve. The principles which have governed your conduct since your accession to office—your gracious reception of the deputies from New Brunswick—the concessions made to their just complaints—lead me to believe, that you will not be slow to vindicate our rights, if once satisfied that they have been and continue to be invaded.

I write, Sir, with no intention of embarrassing the Government, on the *one* hand—your course is distinct and clear. National, like personal dignity, will be best consulted by the firm assertion of its rights. On the *other*, it would be an ungracious office, with the warm attachment I profess to the Constitution, and the desire which animates me that the connexion existing between the Mother Country and the British Dependencies may be perpetuated, to start any political question having a tendency to disturb it. There exists throughout all the Colonies, with which I am acquainted, a tone of kindly and affectionate feeling towards the British nation, founded alike upon the sense of benefits received, as upon a just apprehension of the practical superiority of their local governments. But I ought not to conceal that the existence and perpetuation of that feeling depend upon the policy pursued by the Cabinet. It is for them either to favour or destroy it. The spirit of political inquiry, which exists in the old world, has breathed its inspiration across the Atlantic; and is

spread far and wide among the population of these Dependencies. They are upon the advancing tide of human knowledge. They have caught up from the political and literary publications of the day, their tone of searching and sagacious investigation; and apply it, with even its rougher aspects, to the discussion of their local affairs. After the array of facts I shall produce, and the reference I shall make to the feelings—the bitter and hostile feelings—with which the question of the Fisheries has been contemplated, I need scarce assure you that it is there the subject of frequent and hot declamation. We have submitted hitherto, but it has been with no very patient nor “winning grace.” We have continued to suffer aggression, but it has been a suffering, softened and blended with hope. Yes, Sir, with the hope that the maternal Government would, by its own supervision, at length, discover, from the statistics of trade, the practical consequences of a policy which has been, and will yet be, I fear, even more destructive of the Colonial interests. Forbearance, at a certain point, loses even the semblance of a virtue. The meekest spirit, if goaded too far, will, and ought to rise in resistance. Some of the Colonies will not submit much longer. Newfoundland may be provoked to execute summary vengeance upon the French. If the Ministry do not of themselves extend some measure of relief, and secure to us *at least the* FAIR PARTICIPATION in these—our local resources, the question even may be mooted—how far, according to the modern doctrines of the Constitution, the Government have the power of thus disposing of the local and peculiar resources of the Colonies, without their interests being consulted, or their sanction sought. There are enow of angry spirits who

would delight to agitate it. I know it is a theme of political speculation, which, if once sent abroad, may lead to the propagation of principles dangerous to the peace, if not to the integrity, of the empire ; and one of the main objects of this appeal is, that, by recommending precautionary measures, such discussion may be averted. It would be dishonourable to conceal, however, that the feeling of dissatisfaction exists—that it is spreading and strengthening—nay further, that the Colonists think they would be unworthy of the free lineage of their sires, if they were not irritated by the injuries to which they have been exposed.

The advancement of the Colonies during the last twenty years has been rapid beyond all parallel, I believe, in the history of the world. That advance, however, has been retarded by one of their most valuable sources of national wealth having been opened to the competition of two rival powers. How far the Government have conceded, from the rule of international law, in granting these privileges, is a question I shall afterwards discuss ; but, at the present moment, you will admit it, as a general principle, that the existing treaties ought to be strictly construed—their tenor rigorously enjoined or enforced—and that the Colonies have a right to apply for redress, if they can establish, that the French and Americans exercise their privileges to an extent which their charters do not justify, and which, I am satisfied, the Government would not knowingly permit.

## LETTER II.

*Supposed Opinion of the Law Officers of the Crown upon the Claim of the French to an exclusive right of Fishery on the Coasts of Newfoundland—Treaties from that of Utrecht to that of Paris in 1814—This Claim considered as a question of Intention—Debates in Parliament in 1783—American Interpretation of the Treaty, and Resistance to the French—Arguments reviewed—Improvements in Newfoundland—Mr. Morris's Pamphlets.—Mr. Villier's Memorial.*

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“And as respects the right of fishing, upon the north-east Coast of this Island, in common with the French, your Memorialists humbly solicit the prompt answer of His Majesty's Government, so that they may receive the necessary information upon this important point before preparations be made for the Cod Fishing of the ensuing season, which will commence in May next; and as additional grounds for this application, Memorialists have to state that the Fishing on the Coast of Labrador during the past year has, in many instances, almost totally failed; and generally the quantity of fish taken and cured there, has proved very inferior, so that Memorialists apprehend those fishermen, who have hitherto pursued the fishing on that Coast, will be compelled to resort to the French shore, unless they find the construction which His Majesty's Government may put upon the Treaties, not adverse to their proceeding thither. Memorialists would further beg leave to state, that in the absence of the requisite instructions from his Majesty's Government, great inconveniences might be suffered by many of His Majesty's subjects; disputes may arise between the French and British fishermen; and collisions of a serious nature may happen, which it is the earnest desire of Memorialists to prevent.”—*Memorial of the Chamber of Commerce of St. John's, Newfoundland, to the Right Honourable Sir George Murray, Secretary to the Colonies, dated January, 1830: Signed* THOMAS H. BROOKING, Esq. (now of London) President.

“The yielding to France by the Treaty of Utrecht, the isle of Cape Breton, and the granting to that nation also, the privilege of erecting stages on our Island of Newfoundland, were great mistakes.”—*Anderson's History of Commerce.*



IN reviewing the pretensions of the French to an exclusive right of Fishing on more than half of the entire Coast of Newfoundland, I shall consider it, in the first place, as a question to be decided *by the Treaties themselves*; and, secondly, as one of *intention*, to be gathered from extraneous evidence; for, after an investigation of the documents upon which the assumption is founded, and the collateral inquiries into which they lead, I esteem this, though a novel, the better course to adopt. If the question were propounded to the Law Officers of the Crown, they would be constrained, I think, Sir, to give something like the following

## OPINION.

“ As this is a question involving international rights of commanding importance, and may affect the existing relations with the Colonies, or with France and this kingdom, we have bestowed upon it an anxious consideration, and present the conclusions, to which we have arrived, after deliberate inquiry. By the Treaty of Utrecht, when France relinquished her right to Newfoundland and Nova Scotia, with the privilege of fishing on the coasts of the latter, she retained to herself the island of Cape Breton, ‘ and also all other [islands] both in the mouth ‘ of the river St. Lawrence, and in the Gulf of the same ‘ name, with liberty to fortify any places therein.’ With regard to Newfoundland, it was stipulated that it should not be lawful for the subjects of France to raise any fortifications there, or to erect any buildings, besides stages made of wood, and huts necessary and usual for the drying of fish, or to resort to the said island beyond the time necessary for fishing and drying of fish. But it should be allowed to the subjects of France to catch

fish, and to dry them on land, on that part of the said Island of Newfoundland, which stretches from Cape Bonavista round the north point of the Island, and descending to Point Riche. All the subsequent treaties refer to this primitive adjustment, and must be governed by its exact language.

“ Under this treaty it appears that the French enjoyed the right of fishing from 1712 to 1763—that no formal assertion was made, or, if made, never recognized, of an exclusive right; and that, for this period of half a century, the English and they participated in the mutual enjoyment, along part of the present *debateable* line of Coast.

“ In the year 1763, by the treaty of Versailles, these conflicting rights of the two powers to their possessions in North America formed the subject-matter of fresh agreement. By the fifth article, His Christian Majesty relinquished his rights to the Islands in the River and Gulf of St. Lawrence, as well as the Island of Cape Breton, previously captured by the British forces. The liberty of fishing and drying on the same portion of the Coast of Newfoundland, as conferred by the treaty of Utrecht, was confirmed to the subjects of France, and also the liberty of fishing in the Gulf of St. Lawrence, on condition that they should not exercise the right, “but  
“ at the distance of three miles from the Islands or Coasts  
“ of the Continent situate in the said gulf,” and that as to all other places without the limits of it, they should have the right of fishing fifteen leagues from the Coast of Cape Breton—while the fisheries of Nova Scotia should be guarded by the same restrictions as before. By the sixth article, the Islands of St. Pierre and Miquelon were ceded in full right to France, to serve ‘ as

‘ a shelter for fishermen,’ and His Christian Majesty ‘ obliged himself, ‘ *on his royal word,*’ neither to fortify ‘ the said Islands, nor to erect any buildings there, but ‘ merely for the convenience of the fisheries.’

“ By the treaty of Paris, concluded in 1783, these rights were, for a third time, subjected to new modifications. The fourth article ceded to France the Islands of St. Pierre and Miquelon, thus relieving them of the prohibition, under which they were before held ; and enabling the Government to fortify, and the people to form permanent settlements, as might appear to either expedient. The fifth article recites that in order to prevent the quarrels which had arisen between the two nations, His Most Christian Majesty consented to renounce the right of fishery, granted by the treaty of Utrecht, from Cape Bonavista to Cape St. John ; and, in return for this concession, our Plenipotentiaries granted, ‘ that the fishery assigned should begin at ‘ Cape St. John, on the east coast of Newfoundland,’ run round the north point of the Island, and descend on the west, not as before, to Point Riche,—the exact position of which was then in dispute,\*—but to Cape Ray. And it stipulated ‘ *that they should enjoy this extension of ‘ their privilege, as they had the right to enjoy that which ‘ was assigned to them by the treaty of Utrecht.*’ The

\* Reeves’ History of Newfoundland, 124.

“ It appears that in 1764 the French Government, in a special memorial contended that Point Riche, mentioned in the Treaty of Utrecht, on the western side, was the same as Cape Ray, on the south-west extremity. This claim being only supported by a single map of no authority, the work of a geographer, by name Herman Mull, was completely disproved by a Report of the Board of Trade, and was decisively rejected by the British Court.”—*Mr. Villier’s Memorial.*

last treaty is that of Paris, ratified in 1814. The thirteenth article runs thus :—‘ The French right of fishery upon the Great Bank of Newfoundland, upon the Coasts of the Island of that name, and of the adjacent Islands in the Gulf of St. Lawrence, shall be replaced upon the footing in which it stood in 1792.’

“ With reference, then, to these treaties, the point of the argument must rest upon the construction to be given to that of Utrecht. The existing treaty of 1814 refers to the right as it existed, or, in other words, as exercised, in 1792—this was founded upon the treaty of 1783 ; and in it again it was stipulated that the enlarged extent of fishery should be enjoyed, as that assigned by the primary treaty of 1712. On consideration of the exact words contained in that document, we are of opinion, that the conclusion would not be warranted, that a sole and exclusive fishery was intended. It allows the erection of buildings and stages made of boards ‘ necessary and usual for the drying of fish, and to catch fish and to dry them on land ;’ but this cannot be construed to grant a sole fishery ; and if the usage of mutual enjoyment can be held to interpret the right, their submission to this *practical* construction for so long a period, puts an end to the question.

“ It has been said, however, that the French mainly vindicate the assertion of this right upon a declaration from his Majesty the King, which accompanied the treaty of 1783. The following are the terms upon which they rely :—

“ To the end and in order that the Fisheries of the two nations may not give cause for *daily quarrels*, His B. M. will take the most positive measures for preventing

“ his subjects from interrupting in any manner by their  
“ *competition*, the fishery of the French during the tem-  
“ porary exercise of it, &c., granted upon the Coasts of  
“ Newfoundland ; and he will for the purpose cause the  
“ fixed settlements which shall be formed there to be  
“ removed. His B. M. will give orders that the French  
“ fishermen be not incommoded in cutting the wood  
“ necessary for the repair of their scaffolds, &c. The  
“ thirteenth article of the treaty of Utrecht, and *the*  
“ *method of carrying on the fishery, which has at all times*  
“ *been acknowledged*, shall be the plan upon which the  
“ fishery shall be carried on there ; it shall not be de-  
“ viated from by either party, the French fishermen  
“ building only their scaffolds, confining themselves to  
“ the repair of their fishing-vessels, and not wintering  
“ there ; the subjects of His B. M. on their part, not  
“ molesting in any manner the French fishermen, dur-  
“ ing their fishery, and not injuring their scaffolds dur-  
“ ing their absence.” To this there is a counter-decla-  
ration from the King of France of the same period, de-  
claring his entire satisfaction with it.

“ Now it will be apparent, that the language of the  
declaration, admitting it, for the present, to have equal  
authority with a treaty, does not confer, by fair and  
reasonable construction, the exclusive right contended  
for. Its whole import *presumes* the presence of British  
subjects. They were not to destroy the stages of the  
French *in their absence* ; but what possible motive, I ask,  
could they have to approach the coast, if they were  
neither allowed to erect fixed settlements, nor fish on  
its shores. True, upon the first clause, which states,  
that His B. M. will take the most positive measures for  
preventing the interruption of the fishery, *by any man-*

*ner of competition* \* during their temporary exercise of it, some doubt might be raised; and it may be con-

\* Since writing the above, I have seen the very elaborate statement, prepared by Thomas Hyde Villiers, Esq., while agent of Newfoundland, and addressed to R. W. Hay, Esq. on the 20th October, 1830. I have much pleasure in adding the following extract from that production:—"The object of the declaration is to secure to France that all possible efficacy be given to such principles as may prevent dispute, 'and that the fisheries of the two nations may not give cause for daily quarrels.' Then it proceeds to detail a series of measures to be adopted with a view to these precautions. But where was the occasion for these precautions and arrangements, if an exclusive fishery had been ceded to France? The fishing being exclusive, the British fishermen had no right to be upon it at all, and the British Government would simply have restrained them from going there. In what 'manner,' then, could the British interrupt the French by their 'competition?' How were 'disputes' or 'quarrels' to arise? Whence the necessity for the most 'positive measures' to prevent the interruption of 'competition?' Every phrase appears to contemplate British participation in the fishery.

"But the declaration specifies the measures that are to be taken in order to prevent disputes, and omits to specify what, from its paramount importance as a precautionary measure, must have been mentioned had it been intended, namely—that the British are not to fish at all within the French limits. It provides, with a view of preventing the evils they had formerly suffered in their concurrent fishing, that the 'fixed settlements' should be removed. Again, it may be asked, what question there could be that the British would maintain their fixed settlements for fishing, if they were not to be allowed to fish? Neither is there anything in this provision incompatible with the concurrent fishing of the British. On the contrary, it was nothing more than was formerly done to protect British subjects against one another. At a period when the *Ship* Fishing was encouraged, to the exclusion of the *Sedentary* Fishing, no planter was allowed to possess any fishing stage, or even to reside within six miles of the coast. And even by the Act of William and Mary, so long the law of Newfoundland, no inhabitant was to possess any stage or station, until every ship which had come out from England was provided. When, therefore, we had allowed France to exercise a concurrent fishing, but, at the same time, by not allowing her to carry on what is called a ship fishing, it was only just and consistent with our own practice, to make provision that the inhabitants should not as before so use their advantages to her prejudice and exclusion, and indirectly to defeat her right of fishing at all. But although the *fixed settlements* are thus properly prohibited on the 'French-

tended that the only and natural inference of these expressions would convey the exclusive right. It might be asserted, by critical refinement upon language, that the terms intended only that the French should not be debarred by any *force or unfair competition* from the enjoyment of their privilege, if this construction were not slightly impugned by the preceding passage, that the object of the regulation was to prevent “daily quarrels.” But we do not condescend to this verbal investigation. It would be a work of supererogation. The second section relieves the intent of all ambiguity, because it expressly states, that the method of carrying on the fishery, *which has at all times been acknowledged*, shall be the plan on which the fishery shall be carried on there. This refers the right to the existing usage, it recognises even that such usage was established; and as it is not debated, that from 1712 to the date of the declaration, it was regarded as a common and mutual right, we are of opinion that that usage must govern the question, and adjust the rights of the two Nations.”

When we come, however, Sir, to the second branch of the argument, *that of intention*, as controlled by collateral evidence, it leads to a more enlarged and interesting field of inquiry, but the conclusions which it sanctions are no less opposed to this hostile claim, than the severest construction of the treaties themselves. I plant myself upon this position, that under the two first treaties, it was held and enjoyed as a concurrent right; and I give beneath a paragraph from C. Justice Reeve’s

shore,” it will be observed, that nothing is said against such temporary establishments as might with propriety be erected in carrying on a concurrent fishing.”

History of Newfoundland,\* which, from the authority of his name, ought to be esteemed conclusive. In the debate of the 14th February, 1783, in the House of Peers, when the definitive treaty of peace was submitted by the Ministry, Viscount Stormont, in a masterly and eloquent speech, in which he shewed how the interest and glory of the nation had been sacrificed, said, in allusion to the French Fisheries :—

“ While he was Ambassador at the Court of Versailles, they set up a title to the fishery ceded to them by the peace of Utrecht, unshackled by reciprocity. He wrote home for instructions, and received so clear, distinct, and at the same time so peremptory a statement of the English right to fish in common with the French on the west side of the island, that they were satisfied, or at least relinquished their claim for the time, and wisely postponed it until a moment should come more favourable to their ambition,† when perhaps there should be an English Minister, so solicitous of power, so anxious to fix himself in his seat,

\* “ The activity of Mr. Palliser during his government, had contributed to bring forward the old debated question of property in flakes and stages. These questions were of different sorts ; the first related to the parts between Bonavista and Point Riche, the two limits of the French fishery. Many tracts of land within those limits were claimed as private property ; and, as such, might interfere *with the concurrent right of the French to fish there*. This matter was agitated at the Board of Trade, and an additional instruction upon that head was given to the Governor, by which he was commanded not upon any pretence whatever to allow an *exclusive possession* to be taken as private property, of any lands, rivers, or islands in the northern parts, between Bonavista and Point Riche ; taking special care that such ships as resorted to that part, should choose their stations as they arrived, and should take up and occupy, subject to the Governor’s control, such space only of beach as was proportioned to the number of their boats, conformable to stat. 10th and 11th Wm. III. See p. 130.”

† See Cobbett’s History, v. 22, p. 399.



“ as to hurry a negotiation to its end, without care or  
“ anxiety for the interests of the State he was appointed  
“ to govern.” From the concluding part of this extract,  
it may be believed, that he regarded the treaty to have  
granted an exclusive right, although the undefined nature  
of its language was the theme of bitter and rebuking  
criticism. It is certainly singular, that the representations  
of the same Ministry in the two Houses of Parliament  
were then directly at variance. The Earl of Shelburne  
spoke of it in the Peers as a sole and exclusive right;  
while \* Mr. Pitt, inheriting probably the patriotic  
sentiments of the Earl of Chatham, or admonished by  
the impeachment of the Earl of Orford for his tampering  
with the same rights, spoke of it as one of concurrent  
enjoyment; but, with this double and opposite interpretation,  
we feel the more consoled in reverting to the treaties  
themselves, and in being concluded by the inferences  
they authorise.

In the consideration of this question, there is one  
view of the subject, which I must most earnestly press  
upon your attention. On reference to the treaty with  
the United States, which it will be my duty to explain  
more at large in my next letter, it will be seen “ that  
“ the inhabitants of the United States shall have liberty  
“ to take fish of every kind on such part of the Coast  
“ of Newfoundland *as British fishermen shall use.*” In  
the last convention the same right was renewed. *Their*  
right of fishing upon the Coasts of Newfoundland  
depended, therefore, upon the exercise of such right by  
*our* fishermen. The French having repelled the latter,  
determined to administer the same rule of law to the

\* Mr. Bliss's Statistics, p. 76.

Americans. But they met it in a different spirit. They speedily taught them they would not submit to such assumption. On the report of this aggression being communicated at Washington, an armed force was despatched to the Coast of Newfoundland, to vindicate the right by force of arms. The sequel is curiously illustrative of the "foreign influence" which controls the policy of this nation. While the Colonists of Newfoundland have again and again\* pressed the question upon the notice of the Ministry, with all the eloquence inspired by a sense of injury, their appeals still remain unredressed. The Colonial rights to this hour are undefined, while the Americans have since that period peacefully enjoyed the benefits, from which we are rudely repulsed.

If further confirmation were wanting of the interpretation given to this right by the Ministry themselves, it is clear that both Mr. Robinson and Mr. Goulburn, in adjusting the American Convention of 1818, then treated it as a concurrent right. The Americans were at that time allowed to take fish of every kind on the western and northern coasts of Newfoundland, from Cape Ray to the Quirpon Islands; but as this embraces the whole of the western shore, on which the exclusive right is claimed, it is obvious, that the Ministry would not have granted, nor the Americans have consented to receive without explanation, that which had been previously ceded *exclusively* to another power.

Some reliance has been placed upon the two Imperial Acts—28 Geo. III. c. 35, and 5 Geo. IV. c. 51,—both passed to enable His Majesty to regulate the

\* See Mr. Robinson's Speech in the House of Commons, 11th of May, 1830. Reported in the Mirror of Parliament, p. 11.

fisheries on these coasts. It would be easy to shew that their language does neither implicate nor authorise this claim ;—but I may dismiss both with this remark, that they have only imperative force between His Majesty and his own subjects, and cannot affect the rights of another nation involved in a treaty, and to be interpreted by the language it contains.

To the correspondence conducted between the two Governments on this subject, I have not been able to obtain access, but I have understood that the French insist upon the *impossibility* of a concurrent right being enjoyed, without daily and even bloody contention, between the subjects of the two powers. This argument might have more availed at an earlier period of the History of Newfoundland, when the “sovereignty of the law” could not be maintained. It, however, like all the British Provinces in that hemisphere, has made rapid advances in the arts of peace and civilization. Mr. Morris’ pamphlets, illustrative of its condition and resources, have lent it a new importance ; and shews that the establishment of Civil Courts, in place of the iron and military rule of the Surrogates, has had a salutary and beneficial influence upon the relations of society. The influence of its legislature will extend more widely these happy and auspicious consequences, and I therefore feel free to contend that this aspect of the argument ought to have no bearing upon the question now.

But admitting the statement to its full extent, it is difficult to reconcile the inferences, which have been drawn from it. The impossibility of enjoying the concurrent right, might form the subject of legitimate appeal to the Government, and induce them to vindi-

cate the national honour, by enforcing, with the presence of a stronger naval force, a more rigorous observance of the treaty ; but never would exact the total abandonment of that which was our own. It ought to be recollected, that *we are* the owners of the territory, and that the French participate in this privilege through the justice or the generosity, or, to use Lord Castlereagh's language, the "magnanimity" of the Government.\* For they I hope have not yet reached the boldness of the Americans, to claim this, not by treaty, but as one of the inalienable rights of mankind.

Much, in addition, Sir, might be urged upon the absurd conclusions to which these pretensions lead. If the Colonists are neither to fish in the waters, nor erect fixed settlements upon the shore, *the ownership of the larger half of the Island of Newfoundland may be regarded as virtually ceded to France*. I am assured by high authority, that, from the Quirpon Islands to Cape Ray, ten British settlers are not to be found. How far inland, it may be inquired, is this right to extend ? Is it to embrace the shores of every bay, and the banks of every river ? Is it to extend one mile or fifty ? If the Colonists at Canada Bay, on the east side, should push their settlements westwardly to the shores of the lake, from which the river Humber flows, are they to have no free right of navigation and *user* of that river, and of the Bay of Islands—or must the liberty be acquired by petition at the Court of Versailles ? Would the British

\* When a deputation of merchants waited upon Lord Castlereagh to claim redress for the injuries inflicted by these treaties, he said, that it would be beneath the "magnanimity of the Government" to make them the subject-matter of a formal appeal. The *hallucinations* which followed the triumphs of Waterloo had then probably begun to ascend.

settlers be debarred from coming to the coast to catch fish for their own supply? This singular construction involves one inextricable tissue of absurdities; and it is only painful to reflect that our Government should have submitted so long to the indignity, consequent on the belief, that British statesmen could be guilty of an act of such egregious and unpardonable folly.

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## APPENDIX.

MR. VILLIERS, in the Memorial to which I have alluded, has been able, from the superior opportunities which he enjoyed, to bring forward a variety of facts which lay in the bureaus of the Government. These fortify so much the argument I have pursued, that I have thought it advisable to add a synopsis of his reasoning.

In the preliminary part of the statement, he brings forward a detail of striking facts connected with this important question. It does appear, upon his authority, that the French Ministry, in the negotiations which preceded the treaty of Versailles, did strenuously insist upon a conclusive right. Nay, the French Minister went so far as even to claim a cession of the full and entire sovereignty of that part of the island, which the French had hitherto been permitted to frequent, and the exclusive enjoyment of the fishery as well. The British Minister resisted this demand as unreasonable and consequently inadmissible. After detailing the facts to which I have alluded, Mr. Villiers proceeds, "It is first to be observed, that the Crown does not appear, either at the peace of 1783, or at any other time, to

“ have renounced by intention, any more than in terms,  
“ the British right of fishing on the French shore.”

“ France complained, with reason, that the fixed settlements of the British had trenched upon her concurrent rights. It would have been a remedy for this if Great Britain either had conceded an exclusive right upon another part of the coast, or had reformed her own policy with a view to restrain the encroachments of her subjects. It is plain, however, that neither of these courses could well have been adopted. Any promises of reform in the conduct of the British fishermen, after the correspondence that had passed between the two Courts during the peace of 1763, would probably not have proved satisfactory to France, and the British Minister dared not, and expressly refused to concede the exclusive right.” It does appear, however, that after much argument upon the question of the exclusive right, “ Mr. Fitzherbert, then acting on behalf of the British Government, says, viz. he at last ventured to propose, as a *meggo termini*, (taking care, however, to add, that the proposition came merely from himself) that the exclusive right should not be mentioned in the treaty; but that we should promise *ministeriellement* to secure it to the French fishermen, by means of ‘ proper instructions to that effect,’ to the Governor of Newfoundland, and to this M. De Vergennes consented.” In 1785 and 1786, it is stated, that many aggressions were made against the French, and that in one case even, in the former of these years, “ an English vessel fired into a French vessel, drove her from the fishery, and compensation was ordered.” Mr. Villiers states further, that on the 5th June, 1786, “ Instructions were given to the

“ Governor of Newfoundland to prevent, as far as possible, any of our subjects from fishing ‘ within the limits where the French were allowed to carry on their fishing.’ In 1787 the Secretary of State announced the determination, that British subjects should no longer be permitted to fish concurrently with the French ; but as the 10th and 11th Wm. III. then made it lawful for them to fish in any part of Newfoundland, the Government, although instructed to prevent interference, as far as was possible, was directed to employ no force against those who persisted.” “Parliament was applied to in the emergency, and the Act of 28 Geo. III. cap. 35, giving his Majesty power to make such regulations as may be necessary to prevent the recurrence,” &c. was passed. But it is singular that Mr. Villiers neither refers to any regulations as having been made under its authority, nor can I ascertain that any were issued. Subsequent to 1814, it is clear that the authorities of the island did not treat the right as exclusive, and Sir Charles Hamilton, in 1822, “ mentioned a case that occurred of a Mr. Bird, who, although his fishing was afterwards permitted, had yet been interrupted in a Salmon Fishery, in Bonne Bay, by a French officer, on the ground of exclusive right. He also mentioned that many of the British subjects, settled on the French coast during the war, had remained there since the peace.”

Mr. Villiers, referring again to the adjustment arranged by Mr. Fitzherbert, proceeds to state, “ A *meggo termini* was therefore proposed, and agreed to, namely, that although England should reserve her right of fishing, yet that France should have the

“ strongest possible guarantee against the recurrence of  
 “ her former causes of complaint, which should be  
 “ binding in all time to come, and that for so long as  
 “ the *private promise* ! of the existing Administration in  
 “ England could be binding, they should, by instructions  
 “ to the Governor, be allowed the *exclusive enjoyment*  
 “ of their fishery,—*thus leaving completely open the future*  
 “ *resumption of the right, at any period when it might be*  
 “ *found practicable otherwise to secure France upon the*  
 “ *points on which she had the guarantee of England. That*  
 “ *time, it is contended, is now arrived.* The authority of  
 “ Civil Government has in the meanwhile been esta-  
 “ blished on the spot. England could now give effect to  
 “ whatever regulation she might prescribe, in order to  
 “ prevent the interruption of the French. She found  
 “ no difficulty in so regulating her fishing in another  
 “ part, which she exercises concurrently with the Ame-  
 “ ricans ; and, therefore, it is contended that, looking  
 “ merely to the intentions of the contracting powers in  
 “ 1783, England can now permit her subjects to re-  
 “ sume their participation in the Fishery with a perfect  
 “ regard to good faith.” The above statement is true so  
 far as regards the observance of the treaty by the subjects  
 of Great Britain ; but I shall shew, in the following  
 letter, that new regulations must be adopted to com-  
 pel a stricter and more honest observance of the con-  
 current right on the part of those of America.

After reviewing the treaty of Versailles, and remark-  
 ing upon the disadvantageous circumstances under  
 which it was to be concluded, he brings his very able  
 paper to the following points :—

“ If from the relative situation of the two powers it were  
 “ to be inferred that France could not have been satis-



“fied with any thing short of an exclusive fishery, it  
“must be admitted, on the other hand, that in 1814  
“and 1815, when their relative positions were reversed,  
“England would at least have claimed the restitution  
“of her ancient rights. It is obvious, from the proceed-  
“ings of the French in Newfoundland, that every effort  
“had been made to acquire *de facto* exclusive posses-  
“sion of the Coast; and, although it is to be lamented  
“that the conduct of our fishermen, and the instruc-  
“tion which in consequence it became necessary to  
“issue in former times, should in any degree have  
“conduced to an object which the history of the Fish-  
“ery would shew that France, *per fas aut nefas*, has  
“always had in view, yet at any case it is submitted,  
“that in taking upon herself, as she has repeatedly  
“done, to expel by force our fishermen, she has, un-  
“der any possible supposition, exceeded her lawful  
“powers.”

The following is the last paragraph of this highly intelligent and interesting paper ;—

“The maxims of international law, which maritime  
“nations have observed towards one another, offer, in-  
“deed, in themselves, no slight presumption against  
“the exclusive right which is alleged to attach to  
“France in a fishery, whereof the sovereignty is in  
“England. If the Americans, or indeed for example,  
“the Dutch, or any other power, come and fish upon  
“the coast, France, it will be seen, could not send them  
“away. Force might be opposed to force, and France  
“would be in the wrong. England, it is true, would  
“have the jurisdiction, but she might not have any  
“motive to exert her power, (as has hitherto been the  
“case, in the present instance with regard to America.)

“ Thus the exclusive right to France might become  
“ far less valuable than the concurrent right, which  
“ England would defend, and *in the attempt to confer*  
“ *an exclusive advantage on France, England might admit*  
“ *all the world to fish, to the exclusion of herself.*”

## LETTER III.

*Treaty of 1783—Mr. Oswald—Negotiations with America—Debates in Parliament upon the Provisional Treaty of Peace—Convention of 1818—Mr. Rush's synopsis of the Arguments used by the American Commissioners—Clamours in England and the Colonies—International "Rights in the Sea" reviewed.*

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"It is true that America is prodigal in her amicable professions towards England. Even General Jackson, who was thought to be unfavourable to this country, has been equally profuse with his predecessors in expressions of good will. I do not undervalue such demonstrations of friendship on the part of a great nation with so many claims to our amity and good will; but I must consider all such declarations acts of mere official courtesy, entitled only to a similar return, as long as they are unaccompanied by any practical proof of liberality. While these are wanting, we ought to decline all concession on our part."—*Mr. Robinson's Speech in the House of Commons, May 22, 1832. Second Edition, p. 54.*

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A REVIEW of the British negotiations with the United States, is a subject, Sir, of instructive inquiry to a statesman, although it presents no aspects very flattering to the national pride. At every step it discloses one concession following another, on the footing of reciprocity, but in reality of uniform benefit and aggrandisement to our rivals. Language cannot be found too condensed and severe, to characterise the terms of the first Provisional Treaty of Peace in 1783. Mr. Oswald, our Plenipotentiary, who adjusted it with Franklin and Jay, after his return to England, and when waited upon by the Merchants of London, that they might inform him of the concessions and sacrifice he had made, both con-

fessed his ignorance, and wept, it is said, over his own simplicity.\* Both he and the country discovered but too late, that he was no match for the wily spirits with whom he had had to deal. The Conventions of 1815 and 1818 are no less honourable trophies to the dangerous skill and refined talents of American diplomacy; and if any one versed in their details should ever write an elaborate review of their contents,—the advantages lost on the one side, and gained on the other—the vantage-ground yielded and occupied, not indeed by bold and manly declaration, but by a species of polite and gentle *hustling*—the Powers of Europe will be taught a warning lesson of the triple caution, with which they ought to adjust their treaties with these ambitious and far-seeing Republicans.

“The truth is,” says Franklin, in a letter from Paris, at that period, “he appears so good and so reasonable  
“a man, that though I have no objection to Mr. Grenville, *I should be loath to lose Mr. Oswald*. He seems  
“to have nothing at heart but the good of mankind,  
“and putting a stop to mischief.” In another, he adds, “Mr. Oswald appears plain and sincere. I sometimes  
“a little doubt Mr. Grenville. Mr. Oswald, as an old  
“man, seems now to have no desire but that of being  
“useful.” I know of no more suspicious source of praise. It is admitted by the countrymen of Franklin, that he was a man of deep and impenetrable cunning, and like Napoleon, in this feature of his character, that his estimation of men was only in proportion to their subserviency to his purposes. It may be said of him, as

\* See “Compressed View of the Points to be Discussed in treating with the United States.” London, 1814.

it has been before said, of even a greater man, that he valued character, as the modeller would wax—" *according to its ductility in his hands.*"

I have ever been inclined to attribute the simple generosity of our past negotiations with America to the remains of a\* paternal and lingering affection, and to too low an opinion of the talents and sagacity of her public men. Philanthropy and good feeling would alike dictate the entertainment of a brotherly attachment, if it had been reciprocated; but the events of history ought long ere now to have shewn the folly of indulging in kindly and generous sympathies; for, in every feature of her past conduct, she has exhibited the character of an ungrateful daughter; and in place of returning our regard, has employed it, with an unholy and concentrated selfishness, to promote her own sinister and ambitious designs. The Plenipotentiaries of Europe, selected from the claims of birth, or, as in our own Government, often through official and Parliamentary influence,—ignorant of the localities of the question they are entrusted to adjust,—have, upon trial, proved no peers to the men, who have subjected themselves to the severe training and practical habits of business, essential to personal ascendancy in this republic; and who have reached their stations of dignity and of influence, by the weight of talent and their art of managing mankind. They come to the question with a

\* Secretary Townsend, in 1783, said, "With regard to the observation of the Noble Lord in the blue ribbon, that the Americans, being no longer British subjects, have no longer a right to the fishing, which they had formerly enjoyed, he hoped to God that sort of distinction would never be made, but that we should continue to consider the Americans as our brethren, and give them as little reason as possible to feel that they were not British subjects."

precise knowledge of its limits and boundaries, and therefore go to debate with all the advantages of a jury who have had the benefit of a "*view*." They are aroused to unfainting diligence by the fear of impending responsibility, and know, if they disappoint the people, disgrace and degradation from "high places" must ensue. These remarks may throw light upon the history I am about to disclose, and will at least, I hope, operate as a warning for the future.\*

\* From this general view I must except Mr. Canning's correspondence with Mr. Gallatin, upon the opening of the Colonial Ports, in which the dignity and rights of a nation were never more ably vindicated by a great Minister. His letters are not only admirable for their reasoning, but for their imposing and lofty eloquence. In the late arbitration before the King of the Netherlands, relative to the disputed boundary line between the State of Maine and New Brunswick, where, indeed, we failed upon the dividing principle, I presume, "of settling the difference by a partition of the kernel," the astuteness of Judge Preble was fully matched by the sagacious mind of the Hon. Judge Chipman, of New Brunswick. Since the foregoing was written, the Annual Report of the "North American Colonial Association" for the past year has been put into my hands, and I extract the following paragraph with the liveliest pleasure. No information could be more gratifying to these Dependencies. It opens a novel and flattering view of Colonial auspices, equally as regards the spirit of the Government, and the Intelligent Association organized in London to watch over their interests: ---"Your Committee having received intimation, that in the progress of the pending negotiation, relative to the north-east boundary of the United States, a claim had been set up by that country, to a right of free navigation of the River St. John, and a memorial on this subject to his Majesty's Government having been entrusted to them by the Committee of Trade at Quebec, they deemed the matter of sufficient importance to solicit an interview upon it, with Mr. Secretary Stanley; when they were much gratified at receiving from that Right Honourable Gentleman, a frank and explicit declaration, that such claim had been peremptorily negatived by His Majesty's Government, and that instructions had been given to the Diplomatic Agents of this country, not to allow of the subject being introduced into the negotiations in any shape whatever. The proverbially insidious nature of American Diplomacy, which constantly takes for granted every point in their own favour, but carefully guards itself against conceding any similar points to their adversaries, renders this manly determination of His Ma-

By the third article of the definitive treaty, concluded in 1783, these rights of fishing were secured to the Americans in the following terms :—

“ It is agreed that the people of the United States  
 “ continue to enjoy, unmolested, the right to take fish  
 “ of any kind on the Grand Bank, and on all the other  
 “ banks of Newfoundland ; also in the Gulf of St. Lawrence, and at all other places in the Sea where the inhabitants of both countries used at any time heretofore  
 “ to fish. And also, that the inhabitants of the United  
 “ States shall have liberty to take fish of every kind on  
 “ such part of the Coast of Newfoundland as *British*  
 “ *fishermen shall use*, but not to dry or cure the same  
 “ on that island. And also on the coasts, &c. of all  
 “ other His Britannic Majesty’s dominions in America ;  
 “ and that the American fishermen shall have liberty  
 “ to dry and cure their fish, in any of the unsettled  
 “ bays, harbours, and creeks of Nova Scotia, Magdalen  
 “ Islands, and Labrador, *so long as the same shall remain*  
 “ *unsettled ;*” and concludes with stating that so soon as they are settled, it shall not be lawful for the Americans to enter, without a previous agreement with the inhabitants.

When the terms of this treaty were submitted to Parliament, the opposition in both Houses reviewed it in a spirit of severe rebuke. Many of the speakers seem to

jesty’s Ministers doubly gratifying to all who feel an interest in our valuable American Provinces ; for injurious as the concession of such claim on the River St. John would be to the integrity of those dominions, it is evident, that far from satisfying the Government of the United States, it would be only a step towards procuring the longer desired, and more highly prized navigation of the River St. Lawrence ; the concession of which would be as destructive of British Sovereignty in the Western Continent, as it would be advantageous to the United States.”

have foreseen all the evils of which the Colonists still complain. In a debate, in the House of Commons, Lord North said—

“ By the third article we have, in our spirit of reciprocity, given the Americans an unlimited right to take fish of any kind on the Great Bank, and use all the other Banks of Newfoundland. But this was not sufficient. We have also given them the right of fishing in the Gulf of St. Lawrence; and at all other places in the Sea where they have heretofore, through us, enjoyed the privilege of fishing. They have likewise the power of even partaking of the fishery which we still retain. We have not been content with resigning what we promised, but even of sharing what we have left. The United States have liberty to fish on that part of the Coast of Newfoundland which British fishermen shall use. All the reserve is, that they are not to dry or cure the same on the island. This is certainly a striking instance of that liberal equity which we find is the basis of the provisional treaty! But where shall I find an instance of that reciprocity which is also set forth in the preamble. We have given the Americans the unlimited privilege of fishing on all the coasts, bays, and creeks in our American dominions. But where have they, under this principle of reciprocity, given us the privilege of fishing on any of their coasts, bays, and creeks. I could wish such an article could be found, were it only to give a colour to this boasted reciprocity.”\*

In the House of Lords, Viscount Stormont, says the Reporter, turned his attention to the boundary agreed upon by the American Commissioners, and to the conduct of “ that *very extraordinary geographer and politician*, Mr.

\* Cobbett, vol. 23, p. 451.



“Oswald. There was prefixed to the article a very  
“pompous preamble, setting forth that those treaties  
“were the best observed, in which there were *reciprocal*  
“*advantages*. He was a long time at a loss to understand  
“the meaning of those words. But at last he discovered  
“that they meant only the advantage of America. For  
“a return for the manifold concessions on our parts, not  
“*one* had been made on theirs. In truth, the Ameri-  
“can Commissioners had enriched the English Dic-  
“tionary with several new terms and phrases—recipro-  
“cal advantage, for instance, meant the advantage of  
“one of the parties, and a regulation of boundaries  
“meant a cession of territories.” Lord Shelburne, the  
premier, said in defence, “Though we have not a mo-  
“nopoly, we have got such superior\* advantages in  
“the drying, curing, and preparing of our fish for  
“market, from the exclusive command of the most  
“contiguous shores, that a rivalry can only whet our  
“industry, to reap those benefits our preferable situa-  
“tion in this respect presents to us. But why have  
“you not stipulated a reciprocity of fishing in the Ame-  
“rican harbours and creeks? I will tell your lord-  
“ships, because we have abundant employment in our  
“own. Would not an American think it sordid in the  
“extreme, nay, consider it bordering on madness, to  
“covet the privileges of battenning our cattle on some of  
“the sterile wilds, when we had our own fertile savan-  
“nahs to have recourse to.” Such was the train of  
puerile reasoning to which the Ministry were driven in  
attempting to defend this treaty, and I regret that the  
limits of these letters are so contracted as to prevent me

\* In Newfoundland the fact is directly the reverse. This will be explained in a subsequent letter.

from quoting at length the admirable reply,—the withering power of criticism—with which the whole was reviewed and refuted by my Lord Loughborough.

The mode in which the people of the United States exercised this privilege, from the time of the treaty till the declaration of hostilities in 1812, will be detailed in a subsequent letter, when I come to treat of its *practical* effects. It was anticipated in the Colonies, that the spirit and tone of that war would have rendered the Ministry, on the future adjustment of the national rights, indisposed to have sacrificed any of our local advantages. The convention of 1815 was ratified without the subject of the fisheries being adjusted ; \* but, strange

\* On the 15th of June 1815, Sir John Newport brought the question of the Newfoundland Fisheries under the notice of the House of Commons, by presenting a petition from the town of Poole. In his introductory speech, he justly said, “ that while he felt an unwillingness to interfere with the rights of any nation, in the enjoyment of what would seem to belong to them by the law of nature, he was compelled to call upon Government to extend its protection more immediately to its own subjects, and obtain for them the same exclusive rights of fishing on our own coasts, which the Americans possessed on the extended line of theirs.” The Honourable Member then moved that an humble address be presented to His Majesty. It set out, that as the rights of fishing had not been extended to America by the late treaty of peace with that power, “ that the subjects of his Majesty may be entitled to hope, that their unexampled exertions in this branch of commerce, would be secured and protected—exertions which are stated during the last year, to have engaged in the fisheries above 80,000 tons of shipping, taking and conveying, to home and foreign markets, nearly one million quintals of fish, and above 6,500 tons of oil, the actual value of which exceeded 2,700,000*l.*; and employed above 16,000 natives of the United Kingdom in a branch of native industry, furnishing to the navy on an emergency, a great body of the most hardy and experienced seamen. That while it would not be just nor proper for us to interfere with the rights of the Americans to fish on their own shore, neither was it right that they should have such right on ours, and that these rights ought to be secured from their undue interference, which, from their vicinity, and other local advantages, most materially destroys this valuable

to say, the Americans, regardless of the permission being annulled, proceeded as formerly, says Mr. Rush, \*  
 “ to fish off the British coasts, and use the unsettled  
 “ shores for curing and drying, according to the stipu-  
 “ lations of the (former) treaty. They were imme-  
 “ diately ordered off by the British naval force. Some  
 “ were captured. The ground alleged was, that the  
 “ treaty was no longer in existence. The Government  
 “ of the United States obtained a suspension of these  
 “ apparently hostile orders and proceedings, until the  
 “ two Governments could make efforts for adjusting a  
 “ question of so much moment.”

In Mr. Rush's work, a curious history is given of the negotiations upon this question; and if all other evidence failed, the refined ingenuity with which he,

branch of commercial industry, for which above 2,000 persons have embarked from the port of Poole, and above 5,000 from the port of Waterford, during the present year, and which has advanced to its present *unexampled magnitude by the discontinuance during the war of those vexatious and unwarrantable encroachments upon it, heretofore practised by the inhabitants of the United States.*” Lord Castlereagh said, that he concurred with much of what had been stated by the Right Hon. Baronet. The Right Hon. Baronet must however be himself aware, that there were many assertions in that address, of which it was impossible that the House could now be cognoscent. As to the value of these fisheries, he most completely coincided with him. They were not only valuable as a great source of wealth to the country, but they were still more so as a source of maritime strength. *He coincided also with the Right Hon. Baronet in his view of the relations between this country and America, as bearing upon the question!* He considered that by the law of nations, any claim that America might formerly have put forward, but which had not been renewed by the treaty, had fallen to the ground. He considered nothing of the treaty of 1783 to be in force, except what had been renewed and confirmed by the late treaty. By the law of nature, we have clearly the right of exclusive fishing within the jurisdiction of our own territories; but how far that jurisdiction extended, was a point open to future discussion.”

\* “ Residence at the Court of London,” p. 324.

under the instructions of his government, attempted to defend the *perpetuity* of the treaty of 1783, justifies the tone of my introductory remarks. I cannot illustrate this so well as by quoting his own language :—

“ The British doctrine was, that the treaty of 1783, “ not being re-enacted or confirmed by the treaty of “ Ghent, was annulled by the war of 1812. The United “ States wholly dissented from this doctrine. They “ did not deny the general rule of public law, on which “ Britain relied, that a war puts an end to previous “ treaties ; but they insisted that the rule was not ap- “ plicable to the treaty of 1783. That treaty was pe- “ culiar in its nature and objects. It had no analogy “ to common treaties, and was not to be judged by “ their rules. It was a treaty by which Great Britain “ had acknowledged the independence of the United “ States, after a seven years’ contest in arms. It made “ two empires out of one. It was a treaty of separation. “ The rights of each party were laid down as primary “ and fundamental, in the act of dismemberment which “ the treaty established. So much of territory and “ incidental rights in America were allotted to one, “ so much to the other. *The entire instrument implied “ permanence.* Hence, all the fishing rights secured “ under it to the United States were placed by Great “ Britain upon the same foundation with her inde- “ pendence itself.” Again, “ In point of principle, “ the United States were pre-eminently entitled to all “ these fisheries ; and in point of fact they had enjoyed “ more of them than any other portion of the British “ empire before the separation. The people of New “ England, from their proximity, had been earlier led “ to the discovery and the improvement ! of the best

“ fishing grounds ; and had also with other parts of the  
“ Union, contributed amply in blood and treasure to-  
“ wards winning from France, provinces, on the coast  
“ of which some of the fisheries were situated.” It  
would be idle to detail the unanswerable arguments by  
which this “ Synopsis” was and could be met. It dis-  
closes, I venture to say, a set of propositions unrivalled  
in the history of negotiations,—and that no nation  
could have commanded the pre-eminent confidence to  
put them forth in “ grave debate”—save themselves.

It is however but a feature of their general policy.  
It seems to be an article in their code of public morals,  
to demand, at the commencement of every negotiation,  
more than they are fairly entitled to. They have ad-  
vanced upon the Indian tracts, until, as one of the war-  
riors has said, “ they will leave them the breadth of  
“ the Great Sea (the Pacific) for their canoes.” Upon  
France and Spain on the south and east, upon Russia  
on the north-east, and the British Colonies on the  
north, they have committed a series of trespasses, with  
the view of adding, like the Emperor of the Russias, to  
the circle of an already “ *boundless empire*,” and when  
these aggressions were complained of, then came the  
smooth appeal to the sanctities of international law, a  
pretended reverence for the sovereign rights of justice,  
and plentiful offers of negotiation and amicable adjust-  
ment. I know not why a nation should be exempt  
from the same reputation as the litigious landholder,  
who keeps his neighbours in eternal hot water about  
the limits of their contiguous acres. To them, how-  
ever, the system hitherto has been a gainful one ; and the  
right of fishing on the coasts of the British N. American  
Colonies adds one other trophy to the sagacity which

acts upon it. The following are the terms of the convention as finally agreed upon:—That the United States should have for ever, in common with British subjects, the liberty to fish on the southern coast of Newfoundland, from Cape Ray to the Rameau Islands; and from that cape to the Quirpon Islands, on the western and northern coasts; and on the shores of the Magdalen Islands; and on the coast, bays, harbours, and creeks from Mount Joly, on the southern coast of Labrador, through the Straits of Belleisle, and thence indefinitely along the coast, northwardly; but without prejudice to any exclusive rights of the Hudson's Bay Company. Also the liberty for ever to dry and cure fish in any of the unsettled bays, harbours, and creeks of the southern coast of Newfoundland, as above described; and of the coast of Labrador, subject after settlement to agreement with the proprietors of the soil. In consequence of the above stipulation, the United States renounced for ever the liberty of fishing within three miles of any other part of the British coasts in America, or of curing or drying on them. But American fishermen were to be permitted to enter bays or harbours on the prohibited coasts for shelter, repairing damages, and obtaining wood and water, subject to restrictions necessary to prevent abuse.

“Such was the article,” says Mr. Rush, “finally agreed upon. The most difficult part of our task, was on the question of permanence. Britain could not consent to an express clause, that a future war was not to abrogate the rights thus secured to us. We inserted the word *forever*!! and drew up a paper to be of record in the negotiation, purporting, that if the convention should, from any cause be vacated,

“all anterior rights were to revive.” Again, “It was by *our* act that the United States had *renounced* the right to the fisheries not guaranteed to them by the convention.”

Such *are* the grounds of the pretensions of the United States to this right. Such *were* the arguments addressed to our Minister. It is to be remarked, that, notwithstanding these assumptions, which ought to have rendered the Government the more determined to guard our rights, the Americans secured the liberty of drying and curing fish on parts of the coast of Newfoundland, from which they had been debarred by the former treaty.

“When the convention was made public,” says Mr. Rush, “it underwent criticism in Britain as too favourable throughout to the United States. But this article on the fisheries was assailed with peculiar force. The leading presses of London opened upon it. The claims of the United States were described as of alarming magnitude, the concessions as of a character corresponding. Important maritime interests of the British empire were said to have been sacrificed. Complaints poured in from the Colonies. The Legislative Assembly and Council of Nova Scotia sent forward remonstrances, with which were mixed up, not unsparingly, denunciations of American ambition and encroachment.”

In the following letter, I shall endeavour to prove that “important maritime interests” *were* sacrificed—that the complaints which “poured in from the Colonies” *were* then authorised by the experience of the past, as they *are* now sanctioned by the injuries sustained since; and that their denunciations of American ambition, are

inspired by no ungenerous spirit, but are connected with their own past conduct, by all the intimate and inseparable sequences of cause and effect. It is a spurious sort of morality which, after committing the offence, would arraign the severe justice which awards the punishment.

It has been argued, however, Sir, that the privileges granted to the Americans by this convention, with the exception of the right of fishing on the Coast of Labrador, and of curing their fish upon the uninhabitable parts of it, and of Newfoundland, is no concession on our parts, but might be enjoyed, without such permission, by virtue of the law of nations. Without pretending to enter at large into the vexed inquiry conducted by Selden and Grotius, with show of such elaborate learning, upon the question of "*mare clausum*," I hold it to be established by the practice, as well as by the law of nations, that a property can be claimed in the sea, as much as in the shores which bound it. It is a right which has been claimed and enforced in ancient as well as modern times.

The state of Venice, although owning a territory of scarce 200 miles on the shores of the Adriatic, asserted the right of exclusive navigation throughout the whole Gulf; and kept in a former age a fleet of war gallies to vindicate her pretension by force of arms. The Turks for centuries have exacted from vessels passing through the Dardanelles, as the Danes in the Sound, an acknowledgment of their respective sovereign rights. Queen Elizabeth maintained her supremacy over the "British Seas;" and King James traced by commissioners the limit of sovereign rule over the waters embraced by a line extended from the projecting headlands on the



British Coasts.\* I have never yet heard the right disputed of Britain to the Solway Frith, Russia to the Gulf of Finland, America to the Bay of Virginia, and the New Republics to the entrance of Rio de la Plata. True, both Grotius and Vattel have thrown some doubt upon the limits of the general rule ; but in the excellent article upon this subject contained in Chitty's† Commercial Law, it is shewn, that the former has made admissions which necessarily favour a wide entertainment of the doctrine. The learned Civilian considers that a nation may shut up or claim the possession of a Gulf, of which it owns the neighbouring lands ; and Mr. Chitty presses the argument that a congress of nations might, on the same principle, claim to themselves the united sovereignty of any great sea. "Who can doubt," says Vattel, "that the pearl fisheries of Bahrem and Ceylon may lawfully become property ; and though where the catching of fish is the only object, the fishing appears less liable to be exhausted ; yet if a nation have on their coast a particular fishery of a profitable nature, and of which they have become masters, shall they not be permitted to appropriate to themselves that bounteous gift of nature, as an appendage to the country they possess, and to reserve to themselves the great advantages which their commerce may thence derive, in case of there being a sufficient abundance of fish to supply the neighbouring nations." This admission appears to embrace all that is necessary to enforce our argument ; but the question still remains how far that

\* See Montesquieu's Spirit of Laws. Grotius, Book 2. c. 3. Vattel, 129. "*Dominicum Maris*," appended to "Selden's Mare Clausum," printed in London 1692.

† Vol. i. p. 89.

exclusive right is to extend. Bodinus asserts, that, by the common right of all maritime states, "the right extends to the distance of thirty leagues from the coast," and Albuni and Vattel consider, in the absence of express regulation "between different nations, that the dominion of the sea is limited to three marine miles, being the distance that a bomb from a mortar, or a ball from a cannon would travel, if fired from the shore;"—"and for that reason," adds the latter, "a vessel taken under the cannon of a neutral fortress is not a lawful prize." He admits that if "a sea is entirely enclosed by the territories of a nation, and has no other communication with *the ocean, than by a channel of which the nation may take possession*, it appears, that such a sea is no less capable of being occupied, and becoming property than the land, and it ought to follow the fate of the land which surrounds it." In the same paragraph he asserts and vindicates the right of the Romans to the exclusive possession of the Mediterranean; while in another, by the force of this concession, he seems to involve himself in a labyrinth. "All we have said of the parts of the sea near the Coast may be said more particularly, and with much greater reason, of roads, bays, and straits, as still more capable of being possessed, and of greater importance to the safety of the country. But I speak of bays and straits of small extent, not of those great tracts of sea to which these names are sometimes given, as Hudson's Bay, and the straits of Magellan, over which the empire cannot extend and still less a right of property. *A bay whose entrance can be defended may be possessed and rendered subject to the laws of the sovereign*, and it is of importance that it should

“be so, since the country might be much more easily  
“insulted in such a place, than on a coast that lies less  
“exposed to the winds and the impetuosity of the  
“waves.” Now I would respectfully submit that the  
two examples stand upon very different grounds. If  
Captain Parry had penetrated through the strait of  
the Hecla and Fury, and discovered the great northern  
communication between the two seas, the analogy  
would have been perfect, for each would have then alike  
formed one of those great highways of the sea, open by  
the courtesy and law of nations, to all maritime states.  
If the Romans were entitled to claim and enforce the  
right of exclusive navigation in the Mediterranean, it is  
difficult to conceive a reason why the English should  
not claim the exclusive navigation of Hudson’s Bay and  
of the Gulf of St. Lawrence. In reality, however, the  
ownership and supremacy of the former has never been  
disputed. The French concede the sovereignty of  
England in the latter, and it yet remains to be decided  
whether the assertion of the American pretensions can  
control the spirit of international law. Both appear  
to come within the doctrines vindicated by Vattel him-  
self—because, as the entrance of both can be de-  
fended—for who will doubt the ability of Great Britain  
to do so? it follows that they may be possessed and  
rendered “subject to the laws of the Sovereign.” In  
the \*Report on the Channel Fisheries, laid before the  
House of Commons, at the close of the last session, some  
doubt is expressed as to the limits of sovereignty on  
the sea. In a note it is said, “Whether the league is  
“to be reckoned from the shore, or from a straight line  
“drawn from headland to headland, appears to be

\* See Report, p. 5, 16th August, 1833.

“doubtful;” and, amid these conflicting authorities, the conclusion of Mr. Chitty is, perhaps, the soundest of all which can be hazarded. “\*It is not easy to determine to what distance a nation may extend its rights over the sea by which it is surrounded. \* \* \*

“Each State may, on this head, make what regulations it pleases, so far as respects the transactions of the citizens with each other, or their concerns with the Sovereign; but between nation and nation all that can be reasonably said is, that, in general, the dominion of the State over the neighbouring sea, extends *as far as her SAFETY renders it necessary, and her power is able to assert it.*”

If, however, the object of international law be to prevent disputes, and to promote the harmony of States, it does appear essential, that the fishing-banks extending from a line of coast should belong to, and be under the exclusive sovereignty of, the State which owns it. How far the limit ought to extend may be a vexed question—but, it is apparent, that if the inhabitants of Nova Scotia can only maintain their exclusive right to the extent of three marine miles†—whilst some of the most productive banks lie beyond that limit—it robs them of those advantages which Nature in her bounty appears to confer, and leaves them only to a common scramble for those benefits, of which reason and the spirit of public law would give them the exclusive enjoyment. I

\* Commercial Law, p. 143.

† In speaking of the convention of 1818, Rush says, “This last part (that it might expressly appear our renunciation was limited to three miles from the Coast,) we deemed of the more consequence, from our fishermen having assured us, that the whole fishing ground on the Coast of Nova Scotia extended to a greater distance than three miles from the land.”

will venture to say this much, that if any of your Colonial subjects should dare to approach within three miles of the coast of Massachusetts, and attempt to interfere with the fisheries of these Republicans, they will soon produce, from the archives of Washington, some writer on the law of nations, who, far superior in authority either to Grotius or Vattel, will prove, by irrefragable argument, that such was an unpardonable aggression upon their national rights.

The legal doctrine of *estoppel*, perhaps, might in the present case be successfully pressed against both claimants—but, without pursuing this legal inquiry further, it will be considered, I trust, that the subjects of each should be strictly confined to the precise terms of their respective treaties. This the Colonies have a right to demand : it is all, for the present, I fear, they can expect. In the event, however, Sir, of a third adjustment, Mr. Chitty's doctrine will find, I hope, admittance as a chapter in the code of international law.

## LETTER IV.

*Practical effects of these Treaties on the Coast of Nova Scotia—Americans Destroy nets—Lessen the Catch—Obtain Bait from our Harbours—Introduce Smuggled Goods, and carry on a barter trade with our Fishermen—Injurious to the Revenue and local Merchant—Drive the British Fishermen from their Stations in the Labrador coast—Naval Force not sufficient—In 1831, Americans engrossed the whole trade of the Magdalen Islands—Their violation of the Revenue Laws unjustifiable.*

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“ The fisheries in the British waters of America are the most productive in the world. If they were not ours, whose would they be? What would be the effect of the total abandonment, and transfer to another power, of this branch of industry upon our commercial, marine, and, consequently, upon our naval ascendancy.”—*Sir H. Douglas on the Value of the British North American Provinces, 1831.—Murray.*

HAVING thus shewn the precise contents of these treaties, the concessions granted to either power, and reviewed the singular pretensions of the French to an exclusive right of fishing on a large and the finest part of the Coast of Newfoundland, I proceed now to state the consequences to which these concessions have led, and the series of irritating aggressions and insults to which they have exposed us.

As early, Sir, as the month of March, if any stranger approached the Coasts of Nova Scotia, his observations would induce him to believe, that he was advancing to the territory of some great commercial state. At a short distance from the shore, and on the banks and most productive fishing grounds, he would perceive fleets or continuous lines of small shallops; and, if the day and season were auspicious, he would discover that their crews were busily employed in drawing forth the trea-

asures of the deep. Seeing them thus anchored within view, nay, within almost the shadow of the shore, and employed in appropriating the resources which would appear to belong to it, the deduction would be irresistible that they had recently left the neighbouring harbours, and were, of course, manned by their inhabitants. He would, however, be in error. On inquiry he would learn that they have come a distance of three hundred miles to avail themselves of the privilege—that they belonged to a rival State, and that they enjoyed the right by virtue of a treaty, which the Government have bestowed, without necessity and without return. He would learn, also, that this liberal concession was highly disadvantageous to the inhabitants on the Coast, by lessening the productiveness of the fishing grounds,—for, independent of the competition in the *catch*, it is believed among practical men, *that the casting of the offal overboard*, as the Americans are compelled to do, but which our own fishermen carry on shore for the purpose of converting it into manure, either lessens the fecundity of the banks, induces the cod to strike in other lines, or renders them less eager for the bait.\* I presume not to reason on the cause, as I would not attempt to explain, whence it is that cattle and sheep show such an instinctive aversion to enter a slaughter-house. For the argument it is sufficient that such is the fact.

But this is not all. Some of the Americans with

\* To show that the Americans are sensible of this fact of Natural History, or at least act upon it, and that they do not in all their transactions follow the golden rule of morals, I find it was, and I believe now is, one of the laws and ordinances of New England, that “Fishermen may not “throw the garbage of the fish they take into the sea, at or near the banks, “ledges, or grounds *where they fish*.”—*Laws of Massachusetts*.

some slight regard for the *zeal* of our cruizers, keep without the line of the forbidden ground, so long as there is the brightness of day; but, as soon as darkness has spread upon the deep, and lent them a friendly protection, they heave their anchor a-peak, sail boldly towards the shore, and enter harbour in squadron. If they find there the nets of the fishermen ready set for the mackarel and herring, which form so important a branch of our shore fishery, and which, besides, when *green*, are the most attractive bait to the bank Cod, so much the better. They ride tranquilly in the friendly haven during the night, and, at the first blush of dawn, draw the nets they found thus set to their hands, lighten them of their contents, and thus freighted, with a new supply of bait, bear gallantly out to sea, and are beyond the "sacred" line, ere the morning sun has revealed the robbery, and their infringement of the national rights. The resident inhabitants rise to discover their empty nets, and to bless, of course, the political sagacity, and the benign regard for the equal rights of mankind, which exposed them to such aggressions. If the nets are not set, the Americans are provided with a stock for the purpose, and they soon cast them down in the lines where they expect the fish to strike, preferring, to their sagacity be it said at all times, that this labour should be spared them. If not convenient to enter harbour, they set their nets at the entrance.

They are further allowed, by the terms of the treaty, to break the sanctity of the three-mile ground, and to enter our harbours "for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water." Never were finer loop-holes formed to encourage or excuse infraction; and if it



were an Act of Parliament, in place of being a treaty, I would apply to it the favourite language of my Lord Mansfield, that it gives them scope enough “to drive a coach and four through it.” In effect, it confers upon the Americans the right of entry at all times into our harbours. A vessel leaves Boston or Portland, under the pretence of prosecuting the fisheries, she is loaded with a cargo of beef, pork, and flour: and the other “notions”\* which fishermen on our coast require, and which, of course, they would rather obtain from a Yankee, free of *duty*, than from a Colonial merchant, enhanced in price by the taxes imposed by Parliament or by the Legislature, to protect either the Colonial and Irish agriculturist, or the British manufacturer. As the vessel thus freighted approaches the shore, she hovers stealthily off, till some “cap full of wind” crosses her path, and then, *per favour* of the knife or axe, a temporary jib-boom gives way, sending the head-sail fluttering to the breeze. Such perilous disaster justifies her seeking refuge in the “port of necessity;” and if any cruiser should appear, to question her warrant, the accident, attributable to the dangers of the seas! will be soon confirmed by protest, and supported by all the detail of preceding and imperative exigency.

Some, however, more economical or less timid, will not perform this farce of a pretended loss—they approach the mouth of the harbour they intend to enter towards night, *empty their water casks from the deck*, and being then in that disabled state, most generously recog-

\* The western counties of Nova Scotia, where the system is most extensively prosecuted, do not contribute in a ratio of above one-third to the local revenue, contrasted with the inland and eastern counties. I mention the fact without producing the detail of figures to support it.

nized and provided for by treaty, they sail in to play at once upon the sympathies and the morals of the inhabitants. Believe me, Sir, I draw no fanciful picture. These are “scenes from real life,” and which pass in reality, if not every day, at least every week, along the western coast of Nova Scotia.

Having once entered, the work of traffic begins. It is now requisite to state that the fishermen on our shores, being chiefly composed of the poorer classes or of emigrants,\* are not forehanded, and that a great portion of them are enabled to prosecute their calling, by receiving from the merchant credit in the spring for the supplies of provisions, nets, lines, hooks, and salt, which the fishery requires ;—the supplier, of course, relying on the good faith of his debtor, to receive the full “*catch*” during the progress of the season, and taking the chances of its productiveness for his payment. The American smuggler selects the “*palmy*” time of the fishery for his visit. He seduces the fishermen with a supply of the necessities and luxuries of life, in exchange for the fish on his flakes—honesty and good faith (such is the fallibility of our natures !) cannot resist the strong temptation, and the American, ere he has completed his repairs, has contrived to sweep the harbour of its finest fish. By this system of bold and open invasion of its laws the local revenue of the province is not only lessened, but it is affected, for the future, by the illegal abstraction of those resources, which furnish the materials of that branch of the foreign trade, from which the largest amount of revenue is derived. The local merchant in

\* In this class there are many honourable exceptions. I know many individuals of this class of upright integrity. It is their misfortune to be associated with men who do not follow their example.

the outport is, in addition, induced to expend his ready money in the purchase of a stock of goods, which he procures at cheaper rates ; and thus, while the revenue is subjected to large losses, the fair trader is deprived of his profits, and of the property pledged to him on every principle of justice. The colonial and Irish agriculturist, and British manufacturer are exposed to a competition, against which the violated law has raised protection. In this view of the question I find it difficult to persuade myself, that the manufacturing interests of Great Britain have no concern in this inquiry.

The aggressions of the Americans are not confined to the Western Countries, nor to an interference with the bank and cod fisheries. In the Bay of Chebucto, forming the southern entrance to the Straits of Canseau, there is an Island called *Fox Island*, which, lying along its southern shore, forms with the mainland a narrow passage. Since the earliest settlement of the colony, the mackarel, at particular seasons of the year, have been in the habit of striking in there, in such immense *schools*, that at times it would be impossible to cross the strait with a boat. To this spot and to the *Tittle*, a place situated on the same coast, the fishermen and farmers of the neighbouring counties come, often to the number of 8,000 or 10,000 ; the latter being attracted hither, after their crops are secured, to obtain a supply of fish for the winter. At the “ height of the season,” as it is called, in one night 1500 to 2000 barrels of fish will be laid from the nets upon the strand. In a Colonial Journal of the 14th November last, called the “ Pictou Observer,” now before me, and on which I place full reliance from its high reputation, it is stated, that, in one night in the month of October

last, 3,300 barrels of fish were taken at those two stations. The Americans intrude themselves here at this time ; and, by establishing a barter trade, contrive to carry away every season several cargoes of “pickled fish.”

The last convention was arranged with some knowledge of these evils. From “the Compressed View of the Points to be discussed,” a work dedicated to Lord Eldon and addressed to the Ministry, I quote the following passage :—“Not less than 1200 sail of American vessels were on those coasts, on real or pretended fishing expeditions in 1805, and a very extended illicit\* trade was carried on by them. *Letter from the Custom House at Halifax, 20th Augst, 1806.* The evils complained of are strongly set forth in the memorials of the inhabitants of Nova Scotia, addressed to Lord Bathurst in October last, *and corroborated by affidavits* ; by which it appears that the Americans have of late years, previous to the present war, far out-numbered the British fishermen, and were very lawless in their manner. They endeavoured to appropriate the bait exclusively to themselves ; and frequently on purpose passed their boats through the British nets, even at times taking the fish out of them and going on shore plundering with impunity,” p. 16. At this time it is to be remarked that they were allowed to fish on the Coast of Nova Scotia close to the shore. If the restric-

\* One of my private letters from Halifax, dated the 7th January 1834, says, “The House opens on the 23rd inst. and never did it meet under such melancholy prospects. Our revenue has greatly failed, not exceeding 45,000*l.* ; and of that sum not above 5,000*l.* collected in all the out-ports. The system of smuggling has been perfecting itself for some years, and has now reached the *acme* of perfection. The duties being chiefly raised in Halifax under the eye of the Custom House.”

tion, in the convention of 1818, limiting the right to three miles from the shore was intended to remedy these grievances, the statements I have made shew that it has utterly failed in its effect.

In the Gulf of St. Lawrence, and on the Coast of Labrador, the treaty meets even less show of reverence. In the spring of the year fleets of American fishermen are seen passing through the Streits of Canseau, (a narrow passage dividing the county of Cape Breton from the other parts of Nova Scotia) on Vattel's principle, I suppose, that it is a highway of the sea ; and proceed into the Gulf of St. Lawrence to line the fishing-banks between the shores of \*Prince Edward's Island and New Brunswick, the Magdalen Islands and the Coast of Labrador. By passing from Miramichi to Charlotte Town in the summer of 1826, I counted at least one hundred sail upon that small portion of our banks. By the terms of the treaty† as I have before shewn, they are permitted to land upon the *uninhabited* parts of Labrador, for the purpose of curing their fish ; and in fact so largely do they avail themselves of this privilege, that the ownership of the soil, as founded upon occupation, may be said to be theirs. Now mark the consequences which flow from these authorized visitations.

In the first place, they come thither in such swarms, that they select for themselves the best fishing grounds ;

\* A gentleman now in London familiar with the affairs of Prince Edward's Island, assures me, that the "East Point," and many of the harbours on its shores form *rendezvous* for the American fishing vessels, and that large quantities of goods are thus smuggled into it to the injury of its revenue and general commerce.

† See ante, p. 40.

and it is not infrequent, that a body of British fishermen are driven, by the old feudal rule of might constituting right, from the banks and curing-grounds they had *first* selected.\* The term *uninhabitable* is one of so undefined a character, that it opens to them the whole range of the coast, and I am informed that there have been instances of American fishermen dispossessing a British one of his own flakes, and curing their cargo, while he himself was compelled to allow the run of fish, and his season of profit to pass by, without reaping its advantages.† The rivers of that coast are known to be as affluent in salmon as any in the world, but the inhabitants are not allowed to enjoy that branch of the fishery unmolested, for the Americans not only enter their rivers, and set their nets, but frequently draw the nets of the residents in the broad light of day, and in the presence of their owner, who dare not console themselves, even with the poor satisfaction of complaint, far less of resistance. Had they attempted either, it would

\* An old fisherman from Barington, N. S. said, about three years ago, that he had been so infamously used in one of these squabbles, that he had made up his mind never to return. I was struck with the force of one of his sagacious remarks, " Nothing annoys one like being bearded on one's own hearth-stone."

† I was curious to discover how these matters were regulated when the fisheries belonged exclusively to the French. After some research, I discovered the following article in the Laws and Ordinances of the Sea, promulgated by Louis XIV. in the year 1681. It is in the 52d section, 5th article:—" The first of our subjects that shall arrive with his vessel in the Bay of Canada to fish there for cod, shall be Master of the Harbour, and shall occupy the place he thinks convenient, and shall also mark out successively to those that shall come after him, the places that shall be necessary for them, with regard to the burthen of their ships, and the number of their men."

probably have led to accumulated injuries, and the robbery of the net would have been followed by its destruction. I believe all these statements to be founded upon fact, which, in the event of inquiry, the Colonists are prepared to establish by abundant and irrefragable testimony. To bring this question home, I will ask the proprietors on the banks of the Tay or the Tweed, in which the salmon fishing, after Parliamentary investigation, has been guarded and regulated by the sanction of such imperative and penal acts, how they would relish their vested rights being exposed to such aggression? I fancy, Sir, if only one act of violation were consummated, that the English nation would be speedily made sensible, that the Scotch had neither lost the just perception of their rights, nor the spirit to assert and vindicate them.

It is not a little vexatious to Nova Scotians, that they are under the necessity of submitting to a considerable tax upon their own shipping for the maintenance of light-houses, while the Americans thus participate in their benefits, without contributing a shilling to the expense.

When the treaty with America was first submitted to the House of Commons in 1783, Sir Peter Burrell saw very clearly the indefinite nature of its language, and the disputes to which it would lead. \* “It was argued, “also, that the great concession made of territory, and “other advantages to the Americans were consented to “merely for the purpose of making the peace durable, “by taking away every handle for dispute—but would

\* Cobbett's Parliamentary History, 23, p. 510.

“ any gentleman say, that leaving the Americans at  
“ liberty to dry their fish on the coast of Newfound-  
“ land was the way to prevent dispute ? Definite and  
“ precise terms could alone produce that effect ; while  
“ indefinite and vague expressions would open a wide  
“ door to those very disputes, which Ministers said they  
“ wanted to keep out. How would the word unsettled  
“ be hereafter understood ? What number of houses  
“ or plantations would be necessary to complete what  
“ was called a settled coast. For his part, he saw in  
“ this wording of the treaty an eternal source of *quar-*  
“ *rels and disputes.*” The reality has justified to the let-  
ter these wise anticipations, and shewn that prophecy,  
founded upon the principles of human nature, alike  
in all ages, are not unentitled to weight.

But it may be demanded, where are our ships of war,  
what are our cruisers doing meanwhile, which are kept  
upon the North American station, for the special pur-  
pose of averting or redressing those grievances ? I pre-  
sume not to explain by what intelligence, or by whose  
authority, the duty and stations of our navy are, in that  
part of the empire, appointed. It has been customary  
of late years, I believe, to send a frigate or a 28-gun  
ship, to protect our fisheries in the Gulf of St. Lawrence  
—that is to say—to administer international law along  
a line of coast of some 700 miles in extent, and among  
the crews of three or four thousand vessels. I impeach  
neither the zeal nor the activity of their commanders—  
but I imagine that it would be difficult to find one  
clerk, however adroit, who could manage the cash  
transactions of the Bank of England, or that, if the new  
system of Police were consigned to the care of even a



dozen officers, the reputation of the metropolis would not advance for security or good order. Such a *cordon sanitaire* might, with extraordinary vigilance, suppress the cabals within the circles of St. Giles, but could scarcely overawe those at Wapping or Westminster.\*

Along this line of territory the resident merchant and fair trader are subjected to the same annoyances as those of Nova Scotia. † The harbours are inundated with a supply of smuggled goods and cheap manufactures, the best fish are seduced from the British fishermen, and the trade of the coast withdrawn, from its native and natural channels, to increase the commercial marine, the foreign connections, and the elements of naval power of our great national rival.

In the summer of 1831, a number of American ships

\* It is not my purpose to censure the Admirals upon the station. Many of these have been officers most solicitous to perform their duties. Of the zeal and paternal regard for the Colonies, of the late Admiral Sir Charles Ogle, Baronet, I can speak with certainty, from personal knowledge, and from the general and grateful sense entertained of his services in Nova Scotia. As a testimonial of their esteem for his personal qualities, on leaving the command, the Merchants of Halifax presented him with a piece of plate of the value of 400*l*.

† This ground of complaint is not one of a recent date. In 1728, the Merchants of Newfoundland, in a Memorial presented to Government, "complained of the great quantities of liquor and tobacco, which had "paid no duty, and were imported by the New England men, whereby "the fishermen were debauched, and the fishing generally hindered, and "that the New England ships enticed away the seamen, and were encouraged thereto by a premium of forty shillings per head, given by the "Government of New England for bringing seamen and fishermen." If the system then were ground of annoyance, the political events which have occurred since, have not tended to soften the bitterness excited by illegal competition.

entered the harbours of the Magdalen Islands, established a barter trade, and carried off nearly the whole returns of the fisheries for that season. The merchants at Pictou, who furnished the supplies, remain up to this moment, I believe, unpaid; and Sir Isaac Coffin, the proprietor, has not yet derived from the manor the feudal return due from his copyholders. In place of paying their rent or their debts, the inhabitants held jubilee, amid the abundance of Yankee notions; and, with an utter disregard to consequences, just "ate and made merry" in one year over the supplies which were sufficient for two. The person who gave this information assured me, that the ships did not vail to the requisitions of the treaty; and that the one he saw rode in harbour, gaily and fully rigged, and in "all the pomp and circumstance" of thorough ability. If a cruiser, however, had happened to rise upon the horizon, the top-masts would have been speedily dismantled, the water-casks would have been emptied,—so that, if examined, the vessel would aid the mendacity of the captain and crew, and *lie* them out of the scrape.

One of my friends, to whom I submitted this letter, suggested, Sir, the propriety of softening the tone of these remarks. I am aware of the rule of international law laid down by Lord Ellenborough, that the revenue laws, or fiscal regulations of one State, are not binding upon the subjects of another. So far as regards their introduction, and sale of manufactures into the territories of Great Britain, in contravention of existing laws, they might constitute, according to this doctrine, no offence against morals, if they approached the shores with that view, and fearlessly incurred the consequent

liabilities; but when they prosecute the trade under other pretences, and use for different purposes the privileges conferred upon them, the distinction is obvious, and their violation of the code of international equities is beyond dispute. It is in fact, like using the protection of a neutral flag, to transport goods which are “contraband of war;” and their liability to forfeiture rests upon a stream of concurrent authorities, to which the most eminent civilians have lent the authority of their names.

## LETTER V.

*By these treaties the Colonies lose the supply of the home consumption both of France and America—Extent and value of the French and American Fisheries—They manufacture or secure the best quality of fish—Duties paid on English fish on the Continent—Competition created both in Europe and the Brazils—America can take to the latter their cargoes assorted with cheap manufactures—They sail and man their fishing vessels at a lower cost—Manufacture of Salt and its cheapness in New England—Effects of the Competition of the French on the Trade of Newfoundland.*

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“Owing to the right of Fishing granted to the French at the close of the last war, and to the Americans by the treaty of 1818, the advantages of these great Fisheries are, in a great degree, lost to the subjects of Great Britain. The French and American Governments give bounties and other encouragements to their Fisheries on the Coast. The fish caught by the subjects of these powers can be sold in every market, on much lower terms than fish caught by British subjects. If they be not put on a footing with the subjects of these powers the advantages they possess over the British, must have the effect of sapping the foundation of trade, and subverting the Fisheries altogether.”—*Memorial from the Inhabitants of Newfoundland (P. Morris, Esq. Chairman) to Earl Bathurst. 1822.*

THE array of facts, Sir, contained in my last letter, does not constitute all, or even the greater evils, inflicted by the operation of these treaties. The ulterior and indirect are even more injurious than the immediate and direct consequences; and, when I have illustrated these, I think you will concede to me, that our complaints are not without abundant provocation, and that we have borne them patiently, as long as is incumbent upon the descendants of British freemen.

Both among the French and the American people, mainly from the regulations of the Catholic Church in the first—fish constitutes one of the main ingredients of the national food. It is apparent that there exists, in both countries, a vast internal demand, independent of the effects of any bounty affecting price, or of national considerations; for it will be found, on comparing the prices current of New York and Paris, that the retail price of these articles stand in even a higher ratio with the price of other provisions, than either in the Colonies or in England. It is, therefore, a natural conclusion that the consumption is founded upon national taste. You must pardon me for treating, thus gravely, facts which are so palpable. Again, as neither *import* the products of foreign fisheries, it follows that this demand is supplied by their own shipping. The demand in America is estimated, in official documents submitted to Congress,\* at no less than 1,200,000 quintals, or cwts. which, added to their exports of 400,000 quintals, gives a total of 1,600,000. The argument fails, in my inability to shew the exact amount produced from the Coast fisheries of either power—but from the known resources within the circles of their own empires, I feel that I shall not exaggerate in stating that *two-thirds* of the fish consumed or exported from either country, are derived from British waters.† Now it is obvious,

\* See Report to Congress, 1828.

† Of the extent of this loss to us, and the importance of these fisheries to France and America, the following table will enable the reader to form some estimate :—

#### FRENCH FISHERIES.

In the average from 1820 to 1827 the number of vessels employed by the French in the fisheries of Newfoundland was 214, manned by 7,253

that, if this consumption was not thus supplied, it would be a branch of trade secured to our ships and

men. In 1826, their whole Cod Fishery employed 350 vessels, 40,016 tons, and 10,199 seamen; and in 1829, 400 vessels were sent out--- of which 90 seem to have been engaged on the banks of Iceland. The number of seamen employed in all the French Fisheries somewhat exceeds the number employed in the whole mercantile navy of France. This fishery has, since the peace, been supported by enormous bounties, amounting to 60,000*l.* a-year, which, though now reduced, are still very large.---*McCulloch, Bliss.* In 1829, 15,000 sea-going fishermen were employed on the Coast of Newfoundland. It is a part of the policy of the French system that one-third or fourth of the crews of these vessels shall be "green men," and by this trade they thus train 4,000 or 6,000 men annually.---*McGregor.*

#### AMERICAN FISHERIES.

It has been estimated, on authority, that the number of American vessels employed in these fisheries in 1829, was 1500 sail, manned by 15,000 men, taking 1,000,000 quintals of cod fish, and 3,000 tons of oil. *McGregor* computes that they have annually engaged from 1,500 to 2,000 schooners of 90 to 130 tons, manned by about 30,000 men. In the evidence given before the Committee of the House of Commons in 1817, the number is stated at 1,500. Mr. Robinson, in his speech to the House of Commons (1832) rates them at 1,800. The exports of cod fish from the United States, wholly caught in the British American Seas, average about 400,000 quintals annually. The following tables are derived from official documents :---

#### *Value of Exports the Produce of the Sea from the United States :*

|                           | 1828      | 1829      | 1830      | 1831      |
|---------------------------|-----------|-----------|-----------|-----------|
|                           | Dols.     | Dols.     | Dols.     | Dols.     |
| Dried Fish . . . . .      | 819,926   | 747,541   | 530,690   | 625,393   |
| Pickled ditto . . . . .   | 246,737   | 220,527   | 225,987   | 304,431   |
| Oil, Whalebone, & Candles | 627,317   | 849,032   | 968,593   | 959,638   |
| Dollars . . . . .         | 1,693,980 | 1,817,100 | 1,725,270 | 1,889,462 |
| Sterling . . . . .        | £381,145  | 408,847   | 388,185   | 425,128   |

"The Dried Fish are principally taken in the Gulf of St. Lawrence; the Pickled in their own rivers; the Oil in their whale fishery; of which also however, an important portion is carried on in the Gulf of St. Lawrence." From this statement I would only dissent so far as to add that a part of the pickled are derived from their aggressions on the Coasts of British North America, and from the barter trade illegally prosecuted there. It is cal-

fishermen ; and I therefore consider myself justified in drawing the deduction, that, while we enable them to supply themselves and their foreign customers, we curtail our own trade to the full extent of such demand ; and increase *their*, and lessen *our* own, commercial marine, the whole amount of British tonnage, to which it would give employment. Of this species of national generosity, I confess I am unable to comprehend the wisdom. It does not correspond at least with that “pound-shillings-and-pence” legislation which is applied to the modern views of Colonial policy.

I am quite willing to concede, that if the national fisheries did not exist, the consumption of fish would in both countries be somewhat curtailed. Still the supply of the limited demand would exclusively appertain to the Colonies and their shipping. There are portions of these empires where the use of fish is indispensable. I allude to the French Colonies in the West Indies, and the Slave States of the American Republic. In these the extent of the internal consumption would be controlled by no views of national policy ; and as these are fully supplied by the vessels of the two nations—the larger portion from our Coasts—I place this as a clear sacrifice of the British and Colonial interests as resulting from these treaties.

The returns of these fisheries do not only meet the internal demand, but afford a large excess for exportation ; and in sending our fish abroad, into the market culated that the Americans fish up an annuity from British waters in this quarter of 552,500*l.* sterling.

I have been at much trouble to obtain any official documents published by either Government, to show the extent of their fisheries in English waters, but I have been unable to procure these, and must reason, therefore, from the other data I have been able to command.

of the world, its value and exchangeability are affected by their competition. On examining the tables I will present in a subsequent letter, it will be seen that, during the period of 1808 to 1814, when the Americans and French were in some measure excluded from the enjoyment of these fisheries, those of Newfoundland increased at an astonishing rate of progression. In 1808 the exports of fish were 478,755, in 1814 they had risen to 865,132 cwt. In the inquiry conducted by a Committee of the House of Commons in 1817, *George Garland, Esq.*, a merchant, fully conversant with the trade, stated, “ This competition has already *excluded us* from the French market, where, in the year 1815, we disposed of 100,000 quintals of fish.” In a Memorial, presented the same year, by the merchants of Newfoundland, to Earl Bathurst, and the first signature to which is the name of Patrick Morris, Esq., it is stated, “ The amount of Newfoundland fish sold annually in Spain and Portugal only, during some years of the late war, *could not be*

\* A mercantile gentleman of the highest respectability in London, gives me the following statistics of the Cod Fishery of France for 1832. “ Amount of Premiums or Drawbacks on this Fishery 20,000,000fr. Mercantile Seamen of France in 1816, 8,000; in 1826, 10,000; 1827, 11,000; 1829, 12,000; 1830, 10,000; 1831, 7,414. Premiums of 400 francs up to 1,100 and 1,200 francs *a man* had been granted. Average of five years quantity of Cod taken by the French in Newfoundland, St. Pierre, and Miquelon 245,000 quintals; of these 27,000 have been sent direct to French Colonies in the West Indies, and beyond the Cape of Good Hope; 17,000 to Spain, Portugal, and Italy; 160,000 have been consumed in France; and the remaining 29,000, after being brought to France have been re-exported to the Colonies. 40 francs (33s. 4d.) as a bounty, had been granted on every quintal of Cod fish transhipped to the Colonies. On Cod valued at about 25 francs (24s. 10d.) intrinsically in France, the premium on re-exportation now stands at 24 francs (20s.) On Cod sent direct from the Colonies to foreign ports in the Mediterranean 12 francs (10s.): on re-exportation from France to foreign ports in the Mediterranean, or in passing the frontier by land into Spain 10 francs (8s. 4d.) per quintal.”



*less than two millions sterling*, and thus the trade restored to the country a considerable part of the treasures which political circumstances required to be there expended.” I need scarce remark, that the disturbed state of these countries, the interference with the national industry, arising from both being then the theatres of war—would have a tendency to curtail the amount of the demand. The same document further states, “Another important cause of the decline of our fisheries is the great reduction in the value of our produce in all foreign countries, where it *has suffered an unprecedented depreciation, in consequence of the competition of French and American fish.*” George Kemp, Esq., another gentleman, examined before the Committee of the Commons, in 1817, says, “The Americans did export a very considerable quantity of fish. I have been given to understand to the same markets, Lisbon, Cadiz, and Alicant—their fish is not well adapted to the Italian markets—but they did go to Alicant and Malaga.”

The Foreign duties imposed upon the importation of British fish to the Continent, has of course a tendency to limit the demand. I press upon you, as Minister for the Colonies, the reduction of these as of vast importance. In Spain these duties were—

|         |   | s. | d. |                  |
|---------|---|----|----|------------------|
| in 1792 | - | 4  | 7½ | per English cwt. |
| 1802    | - | 9  | 6½ |                  |
| 1808    | - | 3  | 8  |                  |
| 1814    | - | 10 | 2  |                  |
| 1815    | - | 10 | 6½ |                  |

In 1815 the Neapolitan duties were 9s. 6d.\* In Spain (probably under French influence) the duty is equal to

\* See Report of the Committee of the House of Commons in 1817.

from 12s. 6*d.* to 14s. per quintal, in Italy 8s., and in Portugal and Brazil 15 per cent.\* In Naples the duty is now 16s. per cantar of 192lbs. or 9s. 2*d.* per English quintal :—the other duties are continued to the present time. The demand for fish having been affected by the consumption being rendered less imperative, and consequently less frequent, by the ordinances of the Catholic Church, it is clear, that a foreign competition, on this narrowed field, must press with a treble force of reaction upon our interests.

It is the competition of the Americans, which the Colonists feel, however, with the bitterest sense of injury. To comprehend this to its full extent it is necessary to state that there are three qualities of cod-fish—the West Indian, Madeira, and Merchantable. These ascend in quality and price, according to the order in which they are above arranged. While the West Indian will command 9s., Madeira will bring 10s. 6*d.*, and Merchantable 12s. per cwt.; and without explaining the details of the process of curing fish, I may state shortly that the latter kind require a much larger portion of care and attention to make them free from defect or blemish. It is this quality which is demanded principally for the trade of Portugal, Spain, Italy, and South America,—all of which afford most extensive marts for the disposal of dried cod-fish. The French claiming, by force of usurpation, the finest part of the Coast of Newfoundland—the clearest and the sunniest—might produce a much larger relative quantity of merchantable fish than is exhibited by the returns of our fishery; and of that limited quantity which is produced by British fishermen, the Americans, by the barter trade, I have explained, carry off the

\* McGregor, p. 249.

larger proportion. They export fish to the neutral islands in the West Indies ; and, although their admission is prohibited in our possessions, it is notorious, that a considerable quantity from the United States is *smuggled* into them. The competition created there, by the violation of the law, however unjust, is not that which affects us the most deeply,—it is in the ports on the Continent of South America, where we are subjected to the full measure of its reaction. The merchantable fish, caught and cured on our own shores, produced by our native industry, and belonging of right to the Colonial Merchant, meets his vessel in the foreign market, in the hands of a foreign competitor, and under circumstances which place him in a position of most disadvantageous inferiority. From climate, and from the less advanced condition of the agriculture of the Colonies, (I speak now in reference to Nova Scotia and Newfoundland, where the fisheries are carried on to the greatest extent,) we are yet unable to supply any saleable productions, with which to assort our cargoes. Although our ports enjoy the advantage of the free warehousing system, and we are allowed to tranship flour from bond, the *double* freight, and the expenses of unloading and transhipment, increased by an absurd regulation in the Colonies that the property must be actually landed, render the opportunity of competition of no practical utility. The American shipowner, on the other hand, can and does assort his cargo of fish, with flour and those coarse manufactures, which are required in the South American markets, and in which the Americans are now able to compete successfully with the mother country. This brings his lesser quantity of fish, within the means of a larger circle of purchasers ; and while

the flour and manufactures assist in selling the fish, the fish lend their aid to sell their companions, so that the system, like the double-edged sword, cuts equally against the manufacturer at home, as it does against the Colonist abroad.\*

Although the introduction of these fish into our West India possessions may not form a subject of such legitimate complaint, there is no advocate of the doctrines of free trade who will not admit that we have authority to complain of this competition in South America. All he

\* The evidence afforded by the inquiries of the Committee of the House of Commons, to whom Mr. Sadler's Bill, "to regulate the labour of children in the mills and factories," of the United Kingdom, was referred, is in the highest degree consolatory, by establishing the superiority of British manufactures; and that foreign competition may be less dreaded than has been generally imagined. It is there stated on the combined evidence of Messrs. Smith and Mr. Nish, and of Mr. Sadler the Chairman of the Committee, that the competition of America in the cotton spinning trade need not be apprehended. Without entering into debate upon the propriety of these opinions, as regards the production of coarse cottons, it is unquestionable, that America does, at the present moment, export to the Southern Continent a very large amount of these articles. In 1831 the *cotton piece goods* exported from the United States, are thus stated in the official returns:—

|                        |   |                 |
|------------------------|---|-----------------|
| Printed† and coloured  | - | 96,931          |
| White                  | - | 947,932         |
| Nankeens               | - | 2,397           |
| Twist yarn, and thread | - | 17,221          |
| All other manufactures | - | 61,832          |
|                        |   | <hr/>           |
|                        |   | 1,126,313 dols. |

Of soap and candles in the same year they exported 643,352 dollars. Boots and shoes 290,957 dollars. Household furniture 229,231 dollars. Hats 353,013 dollars. Combs and buttons 120,217 dollars. Glass 102,736 dollars. As the chief sale for these articles is in South America, it is apparent, that they sell in that market nearly one million of dollars worth of these coarser cottons. I have heard it said also that they have succeeded in introducing them into Greece and Turkey in Europe.

would contend for, upon the most generous construction of his theory, would be, that fish from both countries should be admitted on equal terms. If disposed to concede this, I ask, if the foundations of property be of divine origin and are written in the elements of our nature, if it be consistent with justice, that the local advantages of one country should be exposed by any system of laws to the exactions of another—that the natural resources belonging to us, as Colonists, should be opened to a rival power, without our consent, and thus expose us to such an host of oppressive evils? It would be the chivalry of a chivalrous philosophy, which would induce an answer in the affirmative.

The advantages, too, with which the Americans prosecute these fisheries, render their opposition the more vexatious and oppressive. From the facilities, natural as well as acquired, which an old country enjoys over a new, its system is of course governed by the rules and principles of a more artificial state of society. Their vessels are fitted out principally from the Northern States, and the stream of migration flowing thence to the virgin tracts of the Ohio, shew that their population is already overcrowded, and that the rate of wages, and the profits of capital must both be affected by this great controlling cause. Their canvas, rigging, all the outfits of the vessel, as well as their provisions, are afforded at cheaper rates than they can be commanded in the Colonies. It is unquestionable, that an American ship can be both manned and navigated at a lower charge than either in Britain or with us. In the latter, while we are subjected to the prices of articles, enhanced by British taxation, the charges of importation, and the difference of exchange, they procure them in the

home market at the simple cost of production. It will form a natural inquiry how it arises, that we do not obtain these articles at the nearest market, in place of importing them from Britain ;—but the tariff of protecting duties \* imposed by the Imperial Act for the protection of the British manufacturer, and of which we are not disposed to complain, will furnish a very satisfactory answer. Upon these articles an impost is exacted, varying from 15 to 30 per cent. *ad valorem*. The Americans again in this have adopted the same principles as prevail in their whale fishery—every man on board has an interest in the returns of the voyage, and as they are all invigorated by an abstinence from spirituous † liquors, the majority being members of Temperance Societies, they are beyond dispute a more efficient body of men than the Colonists can obtain for their crews. Being trained from their infancy to the pursuit, they are also more expert, the fishermen in Newfoundland being chiefly composed of Irish emigrants, who, though both apt and laborious, from having adopted the pursuit at an advanced period of life, never acquire, except in rare instances, the same manual dexterity.

The superior climate of Massachusetts confers upon them another advantage of prime importance. While the fishermen are on the deep, their wives and families are prosecuting the manufacture of salt at home ; and it is asserted that a large proportion of the salt used in the New England vessels upon our coast, is of domestic

\* See Act 6 Geo. IV. c. 114. Hume's Digest of the Laws of the Customs.

† It is known that many of these American vessels proceed on their voyage with a small jar of spirituous liquors, to be used only as a medicine. In New England, there are Insurance Offices who will take risks on Temperance vessels at a lower premium than on others.

production. As I approached some years ago the fishing settlements in the neighbourhood of Cape Cod, I was struck with the picturesque effect produced upon the landscape, by the lively and ceaseless play of a thousand tiny windmills. A hundred seemed to surround every cottage; and on inquiry and examination, I found that these were the working power of pumps connected with the sea, and were employed in raising the water to wooden tanks, resembling the coolers of a great brewery,\* in which it was kept at a certain depth. Salt was thus produced by evaporation,† as is done on a much larger scale in the Bahama Islands. While the Colonists are under the necessity of importing salt from Spain, Portugal, Sicily, the West Indies and Liverpool, they, by availing themselves of the “chemical agencies” of a finer climate, command this, one of the main items in estimating the cost of production, at a comparatively low rate.

Now, although all these are advantages of prime utility, and are creditable to the Americans, both from the industry and intelligence they display, the question reverts, is it our interest or our duty, to suffer them to extend these benefits at our expense? Is one manufacturer, who enjoys by nature and prescription the use of a stream, because he may have reason to admire the superior system of a rival and a neighbour, to open his

\* Those for example at Meux's, in Tottenham Court Road.

† I have before me a statement of the average of salt made in the United States in 1829 and 1830. New York and Massachusetts take the lead in the Northern States. They rank thus:—

|                  | Capital employed.  | Bushels produced. |
|------------------|--------------------|-------------------|
| New York, .      | 3,077,000 dollars. | . 1,291,220       |
| Massachusetts, . | 1,754,576 . . . .  | . 567,329         |

But I am inclined to believe, that the domestic or home manufacture conducted by the fishermen on the shore, does not enter into this computation.

flood-gates, and lessen the efficiency and force of his own current, that he may enable such rival to press that superiority to his destruction? As neither the law of nature nor of his country could compel him to do it, neither ought it to be done, as in our case, by prerogative nor by treaty, which acquires the virtue of an international contract, and binding cogency and effect, from the exercise of this power, delegated, I contend, upon the soundest principles of the constitution, to the King for the benefit of his subjects.

The practical evils resulting from the interference of the French with the fisheries of Newfoundland, are scarcely less disastrous to Colonial and British interests, than those which I have already detailed. It is matter of not unfrequent occurrence for a fisherman, after he has received upon credit, from the merchants of St. John or Conception Bay, his supplies for the season, to proceed to his station, catch and cure a cargo, and in place of bringing it back to discharge his debt, run up to the French shore, and there conduct an exchange of the whole, or part, for a new supply of comforts and luxuries. These he deposits either at home, or in some place of secrecy, till he returns to his port of outfit, either empty, or with diminished cargo, to attribute the disastrous results of the voyage to the poverty of the catch. The outports of Newfoundland are thus in part supplied with French spirits and manufactures, which are introduced of course free of duty. The Magdalen Islands are a celebrated depot for this contraband traffic. As both of our foreign competitors prosecute this branch of trade, under national auspices, and are assisted by national bounties, it is obvious, that they can bring their products into their domestic market, and that of the world,



on far more favourable terms than the Colonies ; but by France these bounties are so extended, that the French fishermen are inclined at the end of the fishing season, to abandon their nets and other gear. At that period, the British fishermen proceed, I am told, to the French coast, and in exchange for fish and oil, secure these articles of foreign manufacture. These transactions are attended by results of a twofold character. While they deprive the merchant of the returns which in honour and honesty belong to him, they introduce also a foreign supply, injurious, of course, to the British manufacturer.

Notwithstanding the assertion so roundly made by the Ministry, during the discussion of the definitive treaty of peace, that that portion of the coast retained by Great Britain for the prosecution of the fisheries, was finer, and better adapted by nature for the curing of fish—it is now indisputable, that this is in direct variance with the fact. It would be out of place here to enter at any length into the subject of climate, and to treat it with regard to philosophical principles. It is sufficient to state, that during the summer season, the whole line of the Atlantic coast of that continent is subjected to the invasion of those dense masses of fog which I shall subsequently describe in my sketch of Nova Scotia. But these frequently hang upon the frontiers of the east and south-west coasts, or indent themselves for a few miles only into the interior. So nice is the line of demarcation, that both in the harbours of Halifax and St. John's, the merchants in the Upper Wards may have their wharves covered with fish, exposed to the brightest sunshine, while at the same time those nearer the sea—the intervening distance being not more than a mile—are enveloped

in fog, and are unable to throw open either the doors or windows of their fish-stores. There are districts both of Nova Scotia and Newfoundland, where these fogs are unknown, and it so happens, that the French occupy on the north-east and west, those portions of the latter island where those fogs are the least frequent.

In addition to the advantage of climate, you perceive, by the Memorial of Mr. Brooking, that they have *also the most prolific fishing grounds.*

## LETTER VI.

*Amount of casual Revenues in, and Parliamentary Grants for, the Colonies.—The British North American Provinces prepared to pay the expenses of their Civil Governments.—Quit Rents in Prince Edward's Island—the Proprietors and people.—Separation of Cape Breton from Nova Scotia, considered—Public Works not undertaken at the suggestion of the Colonists—Shubennacadie Canal—Government House in Newfoundland—Fortifications in Canada—Rideau Canal—Distinction between extra and necessary Expenditures—Folly of abandoning these Dependencies.*

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“ It is absurd to represent the defence and government of the Colonies as a burthen.”

*Lord Brougham on Colonial Policy.*

IT is not the purpose of these letters, sir, to embrace the details of the Colonial Policy of the empire. Such enlarged inquiry has no necessary connection with the their design; and they will, therefore, be purposely confined to that narrower field of investigation, with the localities of which I am best acquainted. In the outset, I advance the position, *that the Crown Revenues derived from the British North American Colonies, are now more than sufficient to meet the support of their Civil Governments.* I have carefully examined the various receipts flowing from the different sources of the Royal Revenue for a series of years, and I gather from the

official returns,—the most authentic and unimpeachable of all documents, that, even under the distant management of the Colonial Office, these revenues, at the present moment, are equivalent to the united expenditures.

In the pamphlet reported, I know not on what authority, to have been published under the auspices of the Cabinet, and in the defence of the “Reformed Ministry,” it is stated :—

“The same spirit of economy has been carried into the Colonial Establishments; the\* salaries and emoluments of Governors, Judges, Collectors, and Superintendants, have been all submitted to a most rigorous examination, and their respective officers and establishments have been more or less reduced.

2. “In the Establishment of Lower and Upper Canada, Nova Scotia, New Brunswick, Bermuda, &c.”

|                                    |       |         |
|------------------------------------|-------|---------|
| “The charge at commencement of re- |       |         |
| duction, was                       | ..... | £59,800 |
| The immediate saving, was          | ..... | 17,752  |
| The prospective saving             | ..... | 21,549  |
| Total saving                       | ..    | 30,501” |

\* The Colonial Minister has received annually, for some years back, a book, called familiarly “The Blue Book,” from each colony, containing a full account of the population, trade, revenue, &c. These are deposited in the archives of the Colonial Office, and form an admirable code of statistics. I trust the local Legislatures will adopt some means of obtaining a copy of them, that they may remain for general reference, in some public office in each of the Colonies. Mr. M’Kenzie, in his “Sketches of Upper Canada,” has complained, that the Ministers formerly in office, manifested some reluctance to submit these, even to a Committee of the House of Commons. If there were any thing to conceal *then*, such motives must *now* be wanting; for I have been allowed the freest access to these records, and claim their authority for many of my statements.

I beg permission, however, to review this statement, and to prove that the Ministry have it yet in their power to make even a greater reduction. For many years, the Crown Revenues collected in Lower and Upper Canada, have been adequate to the payment of the Civil List. In the former, in 1827, the revenue, applicable to the support of the Civil Government, was £40,156, and the disbursements on account of the establishment, £38,456,—leaving a balance, in the hands of the Crown, of £1,700 sterling. In the latter, there was a surplus, last year, of no less than £11,000; and in both, from the instalments to be made by the two Land Companies, there will now be a considerable excess, to the amount, it is thought, of some thousands.

In 1829, there was voted for the support of His Majesty's Government in Nova Scotia:—

|                                    |       |        |             |
|------------------------------------|-------|--------|-------------|
| Parliamentary Grant                | ..... | £9655  |             |
| Society for the Propagation of the |       |        |             |
| Gospel                             | ..... | 4333   |             |
|                                    |       |        | ——— £13,988 |
| 1829.                              |       |        |             |
| Grant                              | ..... | 9655   |             |
| Society                            | ..... | 4333   |             |
|                                    |       |        | ——— £13,988 |
| 1830.                              |       |        |             |
| Grant                              | ..... | 10,435 |             |
| Society                            | ..... | 4353   |             |
|                                    |       |        | ——— £14,788 |

Mark the fruits of that spirit of economy exhibited by the last Ministry, and followed up so unsparingly by the present! In 1831, the

|                            |       |       |             |
|----------------------------|-------|-------|-------------|
| Grant was reduced to       | ..... | £6625 |             |
| Society Grant increased to | ..    | 6500  |             |
|                            |       |       | ——— £13,125 |

But, in 1832, the first item was limited to the sum of £800, appropriated to the payment of the salary of the Chief Justice. A discussion took place during the last Session of the Assembly, in Nova Scotia, at which I was present, and in which it was contemplated to relieve the Maternal Government even of this burthen. The sum bestowed upon the society, remained in 1832 at £6500.

During all of these years, there was an annual offset of from £5000 to £6000 sterling, derived, either from Crown duties, or other legitimate sources of Royal Revenue. In the two last years, the following are the sums and the sources from which they were derived:—

|   | 1831. | 1832.    |
|---|-------|----------|
| Rent of the Mines, leased to the General Mining Association ..... | £3000 | .. £3000 |
| Fees, Sale of Lands, &c. ....                                     | 426   | .. 682   |
| Crown Duties collected under 18 Geo. III. c. 26 .....             | 2566  | .. 2470  |
|   | <hr/> | <hr/>    |
|   | £5992 | £6150    |

The Parliamentary Votes for the Province of New Brunswick were, in the years 1827, 8, and 9, £5100, respectively; since that period no vote has been required, and last year, (1832,) after discharging the various burthens of the Civil List, there remained a balance of £7867.\* But in addition to this surplus, arising from the King's Revenue, the Government, as you are aware, sir, have lately effected a sale to the New Brunswick

\* The two surplus sums accruing in Upper Canada and New Brunswick have, I believe, been expended in these Colonies, but that fact does not affect the present argument.

Land Company of £500,000 acres, at 2s. 3d. per acre ; which will form a fund to be exclusively devoted, of course, for the uses of that Colony.

In Prince Edward's Island the Grants from Parliament have been, during the five preceding years, 1828, 9, 30, 31, and 32, £2820 sterling respectively, and the only Crown Revenue there reserved for the payment of the Civil List,—the *quit rents* have been placed, for a time, under the controul of the local Legislature, and applied by it to objects of general improvement.

In Newfoundland the expenditure, I mean the sum derived from the finances of the British nation, and appropriated to the support of its Civil Government, have been as follows :—

|             |         |
|-------------|---------|
| 1827.....   | £10,400 |
| 1828.....   | 10,400  |
| 1829.....   | 11,261  |
| 1830.....   | 11,261  |
| 1831.....   | 10,342  |
| * 1832..... | 10,711  |

\* The Island of Newfoundland was without a local Legislature until 1832. The Customs and Revenues before that time were collected under the authority of the Government, and flowed into the general revenue of the United Kingdom. I have been unable to trace the balance by a formal examination of the accounts, but it was stated by Mr. Robinson, in the House of Commons, in 1832, that “ For twelve years preceding 1824, this country drew a surplus revenue of £89,000 from Newfoundland, which went into the Treasury.” Mr. Brooking assures me, and therefore I give it as a fact to be relied upon, that a similar statement was submitted to the Colonial Minister—the items set out at large, and its accuracy at the time was not impugned.

In 1833 the Votes for the North American Colonies thus appear on the financial accounts.

|                                     |         |
|-------------------------------------|---------|
| Prince Edward's Island .....        | 3,220   |
| Newfoundland. ....                  | 12,861  |
| Ecclesiastical Establishment. ....  | 18,700  |
| † King's College, Nova Scotia. .... | 3,050   |
|                                     | <hr/>   |
|                                     | £37,831 |

Of the £18,700, £8000 was placed at the disposal of the "Society for the Propagation of the Gospel." Upon the two last items it may be remarked, that the Government have already intimated by public despatches, that both are to be discontinued, and indeed the first terminates at the end of 1835. The estimate will then descend to less than £26,000. Contrast the excess, now derived in Upper Canada and New Brunswick, added to the payments to be received from the two

† I take this sum from the estimate as it appears, but I learn (from unquestionable authority) that the sum appropriated to King's College has never exceeded £1400 sterling per annum. Upon the reduction of this allowance I would respectfully remark, that, however anxious the Government ought to be to promote economy, some regard is due to the rights of the incumbents. The President of that establishment, the Reverend Dr. Porter, has been at its head for a period now of 27 years. He was induced to accept the situation, and to abandon his prospects in the Church in England, under the belief that this would be a permanent provision. The Church and the State were then married in holy union. As new light has broke upon the present age, and that union is no longer believed, by some, to be necessary, the Ministry, in effecting the necessary changes, should govern themselves by a sense of justice. Although no member of the Church, nor an alumnus of the College, nor approving, in all its parts, of the system of education there adopted, I cannot but think that the Government are bound to make provision for the Reverend Principal, and stay the hand of retrenchment till the office has become vacant to new competitors, with whom new terms may be made.



Land Companies;† and it will be obvious that the position I have asserted is borne out by the facts. Without reference to the claim now preferred by the Government for quit rents in Upper Canada, Nova Scotia, New Brunswick, and Prince Edward's Island, all of which are in the progress of settlement and commutation, with the respective Legislatures.

I may state further, that a very general belief prevails in the Colonies, that a large profit is derived by the mother country from the postage of letters. I have no means of inquiring into the sources of this branch of the Royal Revenue, but if any surplus is afforded, it, of course, to its full extent, ought to be placed to the credit of the Colonies, in this "scrupulous balancing" of their accounts.

I would suggest further, one method by which this part of the national expenditure may be materially

† The Government have sold to the British American Land Company, the whole of the unsurveyed lands in the County of Sherbrooke, (exclusive of the Territory claimed by the United States,) amounting to 596,325 acres; also the Crown Reserve and surveyed Crown Lands in the Counties of Sherbrooke, Shifford, and Stanstead, amounting to 251,336 acres, making in all 847,661 acres for one entire sum of £120,000, to be payable by instalments in ten years, with four per cent. interest—one half of the money to be laid out, under the sole direction of the Government, in improvements and public works in the Districts purchased by the Company. The amount paid by the "Canada Land Company" to the Legislature of the Upper Province (in 1832) was £17,500. The "*Backwoodsman*," after giving the details of the Revenue of that Province, says, p. 18, "From these statements it will appear, that the Revenues of the Colony are in a very flourishing state, as last year we paid off 10 per cent. of the public debt, and this year, (1833,) the Upper House having rejected the supplies on nearly the last day of the Session, when the mischief could not be remedied, it is probable the surplus will be considerably greater."

lightened: 1st, by destroying the independent Government of Prince Edward's Island, and annexing it to that of Nova Scotia; a measure, which, though obnoxious in the first instance, would, I am satisfied, be popular in the end by promoting the interests of both. There is now in fact an union of commerce and of interests; and it is solely the influence of a local government which cherishes that sectional feeling which divorces their political sympathies. The recent establishment of a local Legislature in Newfoundland, will accomplish a more economical expenditure; and I am satisfied, Sir, from my acquaintance with many of the leading men of that Colony, that they will be ready to aid your exertions in behalf of the British people, by curtailing the expense of their local Government.

There is one view connected with this question, which I should neither do my duty to you, nor to the Colonies, if I attempted to conceal. It is a constitutional creed maintained now by an ascending party in these dependencies, that the Revenues of the Crown are vested in the King for the benefit of his subjects—that they appertain to him in his sovereign, and not in his individual, character; and that the Assembly in the Colonies, as is the practice in \*Parliament, have a right to apply for an account of their appropriation and expenditure. The empire, protected by the Sovereignty of the British Crown, is, according to the theory of our Constitution, as founded equally upon the privilege and the responsibilities of the elective franchise, to be regarded as allotted into different and distinct portions. As regards the disposition of the Royal Revenue,

\* See Mr. Harvey's Speech on the "Pension List," in the House of Commons, Feb. 17th, 1834.

wherever an Assembly exists, the amount collected within the circle of its influence, ought, on this doctrine, to flow back, in the first place, for the support of the Civil Government, and, if there be an excess, for such objects of public utility or ornament, as the people, through their representatives, may approve. This principle was urged upon you by the deputation lately from New Brunswick, and I have been informed that you gave it prompt and gracious acceptance.\* The feeling is not confined to it—it extends to all the Colonies. Those of Lower† and Upper Canada, Nova Scotia,

\* This principle seems to have been recognised by Vicount Goderich, when Secretary of State for the Colonies. In a despatch, dated Downing Street, 28th January, 1833, written to the Governor of Prince Edward's Island, for the purpose of directing the method in which lands, belonging to the Crown, should be subsequently disposed of in that island, he states :—

“ Having thus furnished you with directions for your guidance in the alienation of lands belonging to the Crown in Prince Edward's Island, *I have to add, that the funds proceeding from this source will always be expended, exclusively for the benefit of the Colony.*”

In another dispatch, addressed to Lieutenant Governor Young, touching the commutation of the Quit, Rents, dated on the same month, it is said, “ I must observe that the fund arising from the regular collection of Quit Rents, will be solely appropriated to objects connected with the Colony. The support of the Civil Government will probably be the most proper service in aid of which to expend this fund. The sum arising from the redemption of Quit Rents should not be treated as Revenue, but rather as capital, to be laid out in further improvements. Thus, by the formation of roads, the clearing of lands, the construction of wharfs, or other useful public works, this fund might be so applied, as to accelerate the development of the resources of the Colony, and to give a new value to the lands belonging to the Crown.”

† “ Resolved, that on the permanent settlement before mentioned being effected with the consent of this House, it will be expedient

and New Brunswick are prepared to provide for the expense of their Civil Governments, provided the territorial or Crown Revenues are placed at their disposal. Two of them, the first and the last, have already made the offer officially: and I believe that Nova Scotia is ready to enter into the question, and to meet it with that liberality for which the acknowledged loyalty of the colony is the best guarantee.\* If not misinformed, a despatch has been already transmitted for the purpose of offering such commutation. By the plan I have suggested, the Government may relieve itself of the ex-

to render the Governor, Lieutenant-Governor, or person administering the Government, for the time being, the Judges and Executive Councillors, independent of the annual vote of the House, to the extent of their several salaries.”—Passed by the House of Assembly of Lower Canada, 6th Dec. 1828. Although this resolution was passed by the Legislature at that time, the question of the Civil List has not yet arrived in Lower Canada to a satisfactory termination. It would be unwise in these letters to enter at large into the comprehensive field of Canadian politics—but it would not be difficult to conduct such a review as to show, that the French party in the Legislature aim at an ascendancy, inconsistent with either the principles, or the practice of the constitution. The Executive and Legislative Councils in the Colonial Parliaments ought to have their own separate and independent spheres of operation; the salaries of the former branch, including the Justiciary, ought to be removed above the dangerous influence of an annual vote; and the Ministry have done right, before yielding to the demands of the French party, to insist that the same practice should be introduced into that Colony respecting the Civil List, as has been in operation for nearly a century in that Constitution, of which those of the dependencies are humble imitations.

\* That liberality in Nova Scotia will however be effected by the belief, that the Mines, under the present arrangement, are not so productive as they might be made. The causes which create that feeling are too tedious to detail here.

pense incurred for the Government of Prince Edward's Island; and I form an improper estimate of the new Legislature of Newfoundland, if they will not adopt measures to meet the general principle.

I have before stated, that the Quit Rents in Prince Edward's Island have been placed under the controul of the local Legislature. I deem it essential to introduce here, a detail of some circumstances connected with this branch of the Royal Revenue in that Colony. In the year 1831, its Legislature passed an act, imposing a tax of 2s. per hundred acres upon all lands, and a proportionate tax upon town lots, situate in its limits, with the view of raising a fund for the erection of a Government House and Academy in Charlotte Town, Gaols, and other public buildings. The act was to have operation for five years, but a suspending clause was annexed, to prevent its having effect until His Majesty's sanction had been obtained. It also stipulated, that this tax should not be collected, unless the Government refrained from enforcing the payment of the Quit Rents for the same period; and as His Majesty's assent was duly granted, it may be regarded as the first formal, though indirect, acknowledgement, on the part of the Ministry, of the right of a Colonial Assembly to appropriate the Crown Revenues accruing within the limits of its jurisdiction. Contemporaneous with the passing of this act, a feeling in that island had manifested itself, both in the public papers and in the language employed in the House of Assembly, unfavourable, as was thought by some of the proprietary here, to their interests—a disposition appeared to moot dormant questions, touch the integrity of their titles, acquired, in some instances, even by open purchase, and by fair and *bonna fide* con-

veyances from the original grantees or their heirs; and the proprietors, believing that their "rights of property" were most likely to be affected by the pending question of the Quit Rents, were anxious to bring it to a satisfactory termination with the Colonial Minister. It is unnecessary for me to enter more at large into the detail of these proceedings,—but I have lately seen a very able and instructive correspondence, conducted by Viscount Goderich, and my Lord Howick, and Robert Stewart, Esq. of London, acting in behalf of his brother, D. Stewart, Esq., one of the largest and most enterprising of the proprietors,—upon the general question of the commutation of the Quit rents. In the outset, Viscount Goderich proposed an adjustment of them, on the same terms as were offered to the Province of New Brunswick, in a despatch to Sir Archibald Campbell, the Lieutenant-Governor, dated the 10th December, 1831.—These were as follows:—His Majesty's Ministers proposed to remit all Quit Rents due to the previous Midsummer, and "to " authorise their commutation at 16 years' purchase, to " all persons who may redeem them before Midsummer " Day, 1834;—18 years to those who may redeem " after that period, and anterior to Midsummer 1836;— " and at 20 years' purchase to all persons who may re- " deem subsequently to that period; with an intimation, " however, that His Majesty's Government will then " take into consideration how far it may be expedient " to dispose of the unredeemed Quit Rents, to any per- " son desirous of purchasing them, or the principle " adopted in this country, (England,) with regard to the " land tax." In reply to this communication, Mr. Stewart admitted, in the fullest manner, the liberal intentions of the Government to that Dependency; and

the clear and indisputable right of the Crown to enforce payment of this branch of the Royal Revenue ; but submitted to his lordship's sense of justice, whether the landholders in Prince Edward's Island should not be dealt with upon the same terms in this adjustment, as those of New Brunswick and Nova Scotia,—considering that the former had already paid large sums to the Crown in discharge of the Quit Rents, while in the latter Colonies, they had not even been demanded, since the earliest period of their settlement ; and that the uniformity and equity of the proposed principle of adjustment, would be infringed in so far that by an act of the island, to which His Majesty's sanction had been granted, they were already liable to their payment for a period of five years. He concluded with the proposal of terms, making the one adjustment exactly equivalent to the other. In answer to this appeal, Lord Howick encloses the copy of a despatch to Colonel Young, the Lieutenant-Governor, dated January, 1833. “ The enclosed extract,” he states, “ from my despatch “ to the Governor of New Brunswick, will explain to “ you the arrangement offered there, and the following “ is the manner in which I propose that it should be “ applicable to Prince Edward's Island. During the “ two years, after the expiration of the five, for which “ the claim to Quit Rents has been suspended, the Quit “ Rents shall be redeemable at 15 years' purchase ;— “ during the next period of two years, they should be “ redeemable at 18 years' purchase ; and at all subse- “ quent periods, they should be redeemable at 20 years' “ purchase.” In reply to this new proposal, Mr. Stewart frankly acceded to the principle, and offered to pay the amount in hand, if the Government would allow, as is

the practice of the Bank of England, or in ordinary transactions between individuals, the usual discount for prompt payment. This, however, was declined. He next proposed to place the sum in the hands of the Ministry, if he were allowed the usual rate of interest on the amount, until the first time appointed for commutation had expired. But this proposal was also rejected; and the correspondence closed with a distinct acceptance, by Mr. Stewart, in writing, of the terms proposed;—intending, of course, to retain his capital, and to render it in the meanwhile productive, under his own management, until the first period of payment announced by Viscount Goderich had arrived. I am also assured, that the great majority of the proprietors will accede to the same arrangement; and thus bring, at the proper period, this agitating question to a satisfactory conclusion. In the progress of this correspondence, Mr. Stewart expresses his earnest anxiety to bring this question to a definite adjustment; as the uncertainty interfered with the prosperity of the island, by deterring men of capital from emigrating to it; and even at that time, delayed certain arrangements which his brother, and some of the other proprietors, had in contemplation for the settlement and improvement of their tracts. So far as Mr. Stewart is concerned, these arrangements have since been placed in the progress of completion; and as these arrangements have been formed upon this adjustment, the honour and good faith of the Government are, of course, pledged to give it cogency and effect.

It may be necessary to state further, that, in consequence of a despatch transmitted by Viscount Goderich to the authorities of Prince Edward's Island, intimating



that “ so soon as the financial condition of the Colony “ would enable the Legislature to make a moderate “ but permanent provision of the increasing expenses “ of its Government, His Majesty would be advised to “ place the whole revenue within the island at its “ disposal,” the Legislature, in the last Session, (1833) have passed an act for the purpose of raising a fund for this object. It imposes a tax of 4*s.* 6*d.* per hundred acres on all lands, and 2*s.* on every town lot ; directs that out of the monies so raised, His Majesty, &c., may defray the expenses of the Colonial Government ; and, also, that, while such act is in force, the Quit Rents shall not be collected, or, in other words, that the one shall be merged in the other. The Act is not to take effect until the existing statute, imposing the duty of 2*s.* 6*d.*, has expired ; and to this, as in the former, there is a suspending clause, directing that it shall have no force, “ until His Majesty’s pleasure thereon shall be known.” Since the receipt of this statute, the proprietors in England have united their influence to induce its rejection ; and the Ministry, I presume, doubtful of the policy of casting the whole future expense of the Local Government on the landed interest, in a young country, the prosperity of which must be retarded by any burdens imposed upon the soil, and influenced, probably, by the obligations they have already contracted, have, up to this period, refrained from recommending His Majesty to give it his royal sanction.

In a former part of this letter, with the view of reducing the Colonial expenditure, I have ventured to suggest the expediency of incorporating this Island with the province of Nova Scotia. I am not aware that

any feeling exists in the latter favourable to such union. In the former it would, I know, be highly unpopular, and engender, perhaps, all the consequences entailed by a violent sectional, or party, feeling. I believe the union would be beneficial to both; but if the Legislature and people are so resolutely set upon the existence of a separate and independent Government as to provide funds for its support, by some fair and equitable tax, affecting all classes alike, it will be wise, Sir, perhaps, in the Ministry to give them their own wilful way, and respect their love of country, when they are willing to pay for its indulgence.

With the anxious desire to limit the expenditures of the Crown, you may easily believe that I am unfriendly to the proposed separation of Cape Breton from Nova Scotia; or, as it has been facetiously called, in our political circle, "the Repeal of the Union." Cape Breton, for some years after its conquest, was under the Government of Nova Scotia; it was then erected into a separate province, with a Governor and Council; but in the year 1822, His Excellency Sir James Kempt, during his upright and, I need scarcely add, able administration, succeeded in having it again placed under the friendly protection of its Sister Province. There were many sound and pregnant suggestions of policy, which induced His Excellency to avail himself of his influence to accomplish this measure. Few persons are aware of the vast capabilities of this noble island. Its fisheries are affluent—its mineral wealth, space for space, equal to that of any country in the world,—and its soil the most productive perhaps in that hemisphere. Its insular situation and the beautiful sheet of internal navigation, afforded by the Lake Brasd'or, secures the

means of easy transport for its productions ; and present aspects of scenery, too, not less romantic and inviting than the Highland Lochs. It possesses the germ of all improvement—a sober, industrious, and vigorous peasantry, most of them emigrants from the North of Scotland ; and I confess, that in travelling through it last season, for the first time, I was struck, equally with the extent of cultivation, and the apparent comfort and independence of the people. The French settlers on the Southern shores, the descendants of the Acadians, present much of their ancient simplicity—are valuable and diligent as fishermen and coasters ;—and from its local situation and advantages I recommend this island, Sir, to your notice, as one of the most valuable appendages of the Crown. But, although Nature has been so beneficent in her gifts, and the majority of the people were availing themselves of their facilities, their efforts were retarded by the influence, as a gentleman in the Island said to me, “of a local oligarchy, as pernicious and withering as ever existed in the history of the Colonies.” The island is divided into three districts or counties. Of these the North-east, where Sydney, the metropolis, (if it be not profanation thus to apply the word,) is situated, is less populous than the other two ; but it is there only, influenced by former associations,—by the desire of regaining that power of which the annihilation of the local Government has deprived them ; some, perhaps, dreaming again to enjoy the sweets of office—that the cry of discontent and disunion is heard. It is natural. I can find an apology for such sympathies, and I believe many think they are actuated by honorable motives ; but viewing it as a matter of argument and general expediency, I am constrained to

denounce it as an unjust, unpopular, and dangerous scheme. I believe it to be decidedly opposed to the wishes of two-thirds of the island ; and that in the South and North-west Districts there is scarcely a man of intelligence and influence, who does not condemn it. I speak not of it now, Sir, as a question of law. I pretend not, at this time, to pursue the technicalities in which it is involved ; but I must respectfully submit, that if the majority of the people be against it—if the Ministry do not favour the scheme, as I presume they cannot, from the anxiety they manifest to lessen the national expenditure, by curtailing the duties of office, I cannot, in this age of severe utility, see the wisdom of referring the question to His Majesty in Council, to tease their Lordships with a dry debate upon black-lettered statutes. The South and North-west Districts are in favour of the alliance, simply because it has promoted their local interests. Before the annexation they had scarcely a “ *bridle* ” road in their limits. The local revenue was expended, either in the North Eastern District, or melted, by some secret agencies, in the Treasury. Most certainly it never found a legitimate appropriation in the completion of local improvements. Will it be believed, sir, that there are some hundreds of landholders in that island, living under the protection of the British Constitution, many of whom have resided upon their lands for 13, 14, or 16 years, who have paid for their grants at the office of the Surveyor General, in Sydney, for upwards of 10 years, who, to this moment, in spite of repeated applications, have been unable to obtain there the evidences of their titles. Many of the oldest veterans—the “ patriarchs of a race ”—were unable to vote at the last election, and were turned from the hust-

ings, because they could not exhibit the King's Charter. When the lists were submitted to His Excellency, the Lieutenant Governor Sir Peregrine Maitland, he promptly and resolutely exercised the authority of his station to redress the grievance. The grants are now slowly issuing; but these two districts have suffered too severely from the local partialities and sectional interests, inseparable from a small government, ever to wish to see the *ancien regime* restored. They prefer the existing alliance with the superior knowledge, and the more enlarged justice, of the legislature of Nova Scotia Proper, than to have their destinies again consigned to a spot, where their guardianship before was so unkindly and unconstitutionally discharged.

Independent of the ascendancy of this constitutional doctrine, to which I have alluded, the colonies are disposed to relieve the Colonial Department of the superintendence of their Royal Revenues; first, from the belief, that, by their own direct management, they will render them infinitely more productive: and, 2ndly, that, by having them under their local controul, they will be able to exact or remove them, according to the exigencies of existing circumstances. Of the many thousands hitherto collected in Prince Edward's Island, from the quit rents from the tenants of the proprietors, by the writs of the Attorney-General,†—by the seizure and sale in fact of the last milch cow of the starving emigrant,—not a shilling in the pound has ever been paid into the Treasury to

† The present Attorney-General, Robert Hodgson, Esq., so much respected in that Island, will not of course read this as an impeachment against him. The system was prosecuted in the time of his predecessors, and the quit rents, I believe, have not been collected since his appointment to office.

lessen the charge of the Government. The whole, in its transmission from the people to the Crown, has been dissipated in the legal alembic through which it passed. The peremptory order enforced in New Brunswick last year, for the collection of quit rents, produced a gross receipt of £2700,\* and a net residue of some £250, for the purposes of the Crown. Had their collection been attempted in Nova Scotia, the same pecuniary results would have followed; but the King's Government would have sacrificed an amount of loyal attachment, which an expenditure of ten times,† nay ten times ten, the same sum would not have replaced. As a colonist, I blame not the Ministry for attempting to render these sources available. Compelled by the inquiring temper of the age, by the admonitions of Parliament, and by the clamour of the people, to act upon

\* See address of the House of Assembly.

† In one of the most intelligent and spirited journals published in these Colonies, I extract the following paragraph from an article written by its editor, Mr. Howe.—“Against the impolicy of all reserves made by the Crown in these Colonies, whether of quit rents, lands, duties, or minerals, we have always protested, and shall continue to protest. Whatever may have been the motives which dictated those reservations, or however essential they may have been considered to the maintenance of the rights and influence of the Crown, they have been rarely of use to the Government, and have generally proved bones of contention among the people. We wish from our hearts that His Majesty would assemble about him any Minister who, taking an enlightened view of the past, and judging of future perplexities and heart burnings, by those which have been so frequently experienced, would have the firmness to give up antiquated claims to properties, from which the Crown derives no honour and but little revenue, and which, in almost all cases, would be disposed of to more advantage, and administered with more judgment and economy by the Colonial Legislature.”—*Novascotian*, (*Halifax*,) Nov. 9th, 1833.

a system of thorough and efficient reform, they are not liable to just censure in extending to the Colonies some of those pinching evils of taxation which are felt at home. The rights of the Crown were clear and imperative ; but I will not hesitate to say, that had these been under the controul of the local Legislature, or had the Ministry been informed of the inevitable results which would follow, they would not have violated one of the soundest principles of economy, and enforced the collection of a tax, argued by some to be almost extinct from desuetude, oppressive in itself, and the entire product of which was necessary to pay the tax gatherer. It is due to the present Attorney General of Nova Scotia\* to state, that, with a generous disregard to his own interests, he has always used his influence to prevent the collection of this tax in that province.

The Colonists are far from being insensible to the aid afforded by the Maternal Government, in the erection of public buildings, and in the completion of their public works. There exists a feeling of deep and lively gratitude, in which I am aware the circle of my own friends most fully sympathise ; but when the favours thus graciously conferred are in a great measure *discharged* by our being so frequently reminded of them,—when they are embodied into the counts of a specific indictment against the benefit of the connexion,—and rung upon, with all the changes, by the anti-colonists, as a proof of the *necessary* expense of the colonial policy, it behoves me to inquire, at whose solicitation and on what objects, these sums have been expended. It will be recollected, that I prosecute this inquiry with reference solely to the North American Colonies. I will treat it now, not

\* S. G. W. Archibald, Esq.

as a subject of general legislation, but as a matter of strict account; and I therefore open the books of the Colonial Office, upon this branch of the expenditure, to pursue it through all its minute details,—just as a merchant, at the head of a vast business, would ascertain the balance in favour of or against any one of his customers.

In Nova Scotia, within the last ten years, independent of the sums expended in the repair of military buildings, I am not informed of any *extra* expense incurred by the Government, except for the erection of a citadel on the hill, forming the back ground to the town of Halifax; and the sum of £20,000 lent by Parliament to aid the completion of the Shubennacadie Canal. With regard to the first, it was projected, designed, and carried on,—a sum laid out to the extent, I believe, of about £100,000,—without the Colonists ever being consulted,—nay, had the opinion of the Legislature been sought, they would have told its projectors it was not required. The loan to the canal was not obtained by the solicitation of the local Constitutional authorities. Their recommendation was applied for—they would not give it. Had their pledge for its repayment been made a primary condition, the sum would not have stood now as a charge to the debit of Nova Scotia. Both were equally in opposition to the general intelligence and wishes of the colony; the one as useless, the other as rashly speculative. With these sums Nova Scotia can no more be justly charged, than the donee of a free and generous gift. The colony was merely quiescent. Had the people been consulted, their opinion of its impolicy would have been frankly given; for, although we would be jealous of our own rights, I assert there is no selfish and unmanly feeling in Nova Scotia to de-



rive from the Maternal Government any aid, either by false representations or for improper objects. The Ministry must blame themselves and their advisers. They may have erred with good intentions, but if their mortgage prove, as I believe it to be worse, than worthless, the colony are not responsible for the bankruptcy of the scheme.

In New Brunswick, the only expenditure of which I am aware, during the same period, is for the erection of a new \*Government House, and of a College at Fredericton. Both of these are, perhaps, of larger proportion, and of more elegant design, than the circumstances of the colony called for; but neither were built with funds derived from Parliament. They were obtained from the Crown or territorial revenues collected in the province; and in place of being the subject of complaint against the colonies, they are more legitimately the subjects of complaint from the colony to the Crown. In Newfoundland there has been lately erected a residence for the Governor, of spacious and elegant architecture; but I have yet to learn that the inhabitants can be justly chargeable with the expense of a building, the necessity of which they did not urge, and in whose design they were not consulted. In the Canadas, the Maternal Government, for these few past years, have spent annually a large sum in the repair and erection of fortifications. The citadel of Quebec is now, it is vaunted, like that of Gibraltar, rendered impregnable, and frowns down in solemn and imposing

\* The Legislature of New Brunswick, passed a specific act for the erection of this building, and voted £10,000 to commence it. Such a sum, of course, did not complete it; but no grant was ever passed for its aid by Parliament.

majesty upon the noble river it overlooks. The colonists have seen, with sentiments of secret satisfaction, the gradual growth of its massive battlements; but it was an expenditure neither suggested nor authorized by them, and for which they hold themselves in no measure responsible. All these are the results of a military survey, conducted by Sir James Carmichael Smyth and his associates, under the sanction of the Ministry. This Commission visited Bermuda, the West India Islands, and the North American Colonies, in 1829, and, immediately after their return to England, this system of colonial fortification and of internal strengthening was begun. Where are the petitions for them preferred by the colonists? where the resolutions of the local Legislatures recommending their erection? I defy the Government to produce one single public document from any colonial body of authority, suggesting or approving of them. The whole creation (I impeach not the good intentions of the system) has been hatched in the Ordnance in Pall Mall, or at the Horse Guards, and by every rule of logic and principle of morals, the colonies stand free of responsibility.

The Government, it is true, have favoured Upper Canada with loans, on advantageous terms, for the completion of the Welland Canal; but although it appears now as an item to the debt of the colony, the security pledged, I am told, is amply sufficient for its repayment. A large sum, approaching to three quarters of a million, has been expended in the cutting and completing of the Rideau Canal,—a grand line of intercolonial navigation,—intending to unite the Lakes with the river St. Lawrence. It has been cut partly for commercial, but mainly for military pur-

poses. As the river formed the divisional line, if I can so use the term, the *debateable territory* between the United States and the upper and lower provinces, it was thought that the transport of military stores would, in the event of war, have been exposed to all the ambushes which might be laid along the American side of the river; and it was deemed expedient to have a navigation, within the limits of our own territory, safe from the secret attacks of the enemy. It has led to the rapid cultivation of the land along the line, and to the formation of a number of military settlements. Far be it from me to deny that it has been, and will be, of pre-eminent advantage to the colonies; but they cannot be censured for the egregious blunders and wasteful expenditure committed by the engineers.

The first estimate of £169,000 has swelled to a million! Of this I entertain no doubt, that if the expenditure had been entrusted to a competent Colonial authority, it would have exercised a more searching and efficient controul; and if the Government had applied for the security of the provincial funds, the Legislature would have replied, that it was too magnificent an undertaking for the means or the trade of the Colony.\*

\* Mr. Murray, in his able work upon North America, says, "These works have been undertaken by Government, in a great degree *with reference to military objects*; and we even observe that Mr. M'Gilvray, in his recent evidence, gives it as his opinion, that vessels will still prefer the old and spacious, though obstructed route, of the St. Lawrence." vol. ii, p. 498.

Nathaniel Gould, Esq., Deputy Governor of the B. America Land Company, in his excellent "Sketch of the Trade of British America," published 1833, by Fisher and Jackson, says, "It deserves notice that the Assembly of the Upper Province have recently passed a vote of £70,000 for the improvement of the navigation of the St. Lawrence."

This rapid review, Sir, of the *extra* channels of colonial expenditure, must convince you that the large sums expended upon the Colonies are to be attributed to your predecessors in office ; to the Ministry at home, and not to the local authorities abroad. I reject nearly the whole of these as items of the *necessary* expenditure. They were not required to overawe the Colonists either in war or peace ; the utility of some of them, in the the event of hostilities, is at least debateable. The erection of a Government House, Newfoundland, may be argued to be necessary ; but, if I grant this, I must dissent to the expenditure of some £40,000 or £50,000,\* when a suitable mansion might have been completed for £15,000—the amount in fact of the first estimate.

Abandoning, however, this argument of utility, I concentrate my reason upon this single point, that these dependencies are now prepared to pay their Civil Lists, and meet the expenses of the Local Government, provided the Crown Revenues are placed

A gentleman conversant with the affairs of Upper Canada, informs me, that the Legislature means to extend their outlay in these improvements to the sum of £350,000.

\* The Rideau Canal was the *projet* of his Grace the Duke of Wellington. The estimated cost was first £169,000 and subsequently stated by Mr. M'Taggart, at £438,000. The difference between a contemplated and actual expenditure, will be most lamentably developed by the following statement, abstracted from the accounts submitted to Parliament :—

Expended on the Rideau Canal, to the 31st.

|                                |          |
|--------------------------------|----------|
| December, 1831 .....           | £715,408 |
| Sum required to complete ..... | 88,365   |

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£803,773 ;

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but the actual cost, when the *et-ceteras* of official management are added, may be stated at one million.

at their disposal;\* they are willing to relieve the Maternal Government of all the *necessary* branches of expenditure, and to throw upon the Colonies this branch of the ministerial patronage.† The building of fortifications, loans to canals, and the other channels of colonial outlay, which I denominate *extra*, will for the future be under the vigilant controul of a Reformed Parliament. As it will form a more efficient representation of the popular voice, and bow to the sovereignty of public opinion, the nation will have the power of inquiring into each measure, ere it can create a demand upon the Treasury. If Parliament, however, in the exercise of its high vocation, should graciously answer some of these future appeals, I trust the reformers of another age will separate the extra from the necessary

\* In adjusting the amount of the salaries to be paid to the public officers, the Colonists will be disposed to exercise, perhaps, a more rigorous economy than the Ministry may approve of; but I am satisfied, that in Nova Scotia, as in the late adjustment of the Custom House question, the Assembly will have a just regard to the vested rights of the present incumbents.

† There are many intelligent men in the Colonies who are solicitous that the salaries and emoluments of the Governor and the Chief Justice should be fixed by the Ministry, and be removed beyond the controul of the Local Legislature, I confess that this opinion is supported by many cogent arguments. In a small Government, these authorities are necessarily brought into personal intimacy or collision with popular leaders, and in the adjustment of their salaries, personal motives and animosities may mingle themselves with the graver considerations, which ought alone to govern a question of general policy. The safety of the Constitution, the pure working of the Local Government, will depend upon the irresponsibility of the Nominees of the Crown to the Local Legislatures, and without presuming to suggest a plan, I leave the hint for the consideration of those far more able than I am to advise some measure of practical expediency.

items, and govern their views of colonial policy by the sounder considerations to which it leads.

But conceding to the anti-colonists that these have been *necessary*, and not *extra* expenditure, is it a proof of wisdom to act upon a system, which will separate from the kingdom these Dependencies, enriched as they now are by these improvements? If a nobleman, having had a barren tract of land in the circle of his estate, which he had cultivated in the hope of gainful speculation, on calculating his outlay, found it had cost him more than his original estimates; that for the past it had yielded no adequate return, but that the future was bright with the promise of profit,—would it be wisdom to chafe his own temper, and raise his tenantry to rebellion, by bitter mourning over his wasted wealth; or in a fit of disgust to give it away? Or suppose again he had employed an architect to erect for him a fitting mansion, and he had adorned it with a greater number of columns, and the capitals of these with a richer and more costly order of ornament, than his lordship would have approved of, if he had been aware of the outlay, would wisdom whisper to him to seek a remedy by applying a torch to the structure? Would he gain anything by losing all? And yet, Sir, such is the wisdom of those who would separate the Colonies from the Mother Country,—with this signal difference! that the analogy afforded by the first case would be surpassed by that act in its folly, insomuch that the Colonies would perhaps fall into the hands of a rival power, nursing the loftiest dreams of ambition, and animated with a secret and bitter hostility against the parent state; the more dangerous from being wrapped up in the language of courteous pretence.

Judge the United States, Sir, by her acts, and not by her *professions*, and it will be seen that France, in her hour of most deadly rancour, never armed the spear of Legislation, with sharper or more envenomed point, against the interests and the glory of England, than America has, from the first hour of her independence to the present time. President Jackson, it is true, has, in his messages to Congress, flourished in pompous paragraph upon the philanthropy of national concord, upon the kindly influence of an ancient lineage and of literary sympathies,—of a community of language and of thought,—and all the other common places of pharasaical sentiment; but I have yet to learn if this be the genuine feeling dictated by the heart, the measured language of cold expediency, or the “flattering unction” required to conceal some latent and ambitious purpose. Are kings and rulers in the intercourse of nations to be alone excepted among men, from that great law of morals, that where there is *most* profession, we ought to expect the *least* sincerity?

## LETTER VII.

*No War waged exclusively for the Colonies—Military Expense less than represented—Naval Force not chargeable to these Colonies—Benefits derived by the Mother Country from their possession—Field for Emigration—Area of the Colonies larger than that of Great Britain—Amount of Manufactures consumed in the Colonies contrasted with the United States—American Tariff—Foreign Countries neither in a situation, nor having the disposition to reciprocate.*

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“ The Honourable Member, in the course of the Speech which he has delivered upon this occasion, turned round and addressed those who sat on these benches, and charged us with having entertained an unfavourable opinion with respect to the Colonies ; I beg leave to correct him on that point. I entertain no unfavourable opinion with respect to the Colonies themselves, although, undoubtedly, I have a strong objection that this country should be obliged to support and maintain them. It is of those Colonies only which have ever been a source of expense to this country, that I have complained ; for the others, I have always felt, and shall always entertain, the sincerest respect and regard. It is of the system upon which the Colonies are governed, that I principally complain ; and if the Government will not put them in a situation to maintain themselves, I certainly am for getting rid of them.”—*Mr. Hume’s Speech in the Debate in the House of Commons, on the State of the Island of Newfoundland, May 11, 1830.*

“ Lord Brougham, in his work on Colonial Policy, has said, in statesman-like style,—“ In respect to capital taken from the Mother Country to the Colonies, it is not withdrawn from the empire ; it continues to support the productive industry of the community ; and, besides improving an integral though remote part of the State, it directly employs and maintains part of the home population trans



planted thither. May we presume to hope, that the Colonial policy of Great Britain will exhibit to future Statesmen a useful picture of the advantages which may fairly be expected from just views of Provincial Government, which shall consider the *parts of an empire*, however situated, as members of the same political body."—*Speech of N. Gould, Esq., at a Meeting of the British American Land Company, held in London, December, 1833.*

THE distinction which I drew, Sir, at the conclusion of the last letter, would form an appropriate introduction to this. It is of essential importance, in the conduct of the argument, to look to the *present* condition of the colonies—to the prospects which are dawning upon them; and to the future auspices they are likely to exercise, upon the interests, if not the safety and glory, of the British Nation. I will have little difficulty in establishing that the heavy expense of their conquest and past maintenance is not attributable to them; and that they now contribute to the prosperity of the nation, in a ratio equal, at least, to any just consideration arising out of their actual expense.

It is almost unnecessary to revert to the wars of conquest by which these colonies were first wrested from France. It will not be pretended that the expense of those wars, can, in any degree, be ranked as a charge against the Colonies themselves, as in both the two powers were involved in general hostilities from other causes, and struck at the colonies to weaken the strength, and lessen the resources, of the Government at home. The public rejoicings which followed both the capture of Quebec, by General Wolfe, and the demolition of the Fortress at Louisbourg by Boscawen—the processions which passed in their array through the city of London, when the standards were carried from the Palace of Kensington

to the Cathedral of St. Paul's,\*—and the honour subsequently paid to the memory of the conqueror, furnish the best evidence that these contests were then highly popular, and the people in no temper to regret or disapprove of the expense. The last struggle with America was not waged for any colonial right. The disbursements were unquestionably increased by the necessity of defending the Dependencies,—but I am justified in assuming that, the Colonies have been conquered and upheld, mainly with the view of depressing our enemies,

\* See Smollett's *History of England*. The last number of the *Edinburgh Review*, (January, 1834,) in its article upon the “*History of the Earl of Chatham*,” contains the following passage:—“In July, 1758, Louisbourg fell. The whole island of Cape Breton was reduced; the fleet to which the Count of Versailles had confided the defence of British America was destroyed. The captured standards were borne in triumph from Kensington Palace to the city, and were suspended in St. Paul's church, amidst the roar of guns and kettle-drums, and the shouts of an immense multitude. Addresses of congratulation came in from all the great towns of England. Parliaments met only to decree thanks and monuments, and to bestow, without one murmur, supplies more than double of those which had been given during the war of the Grand Alliance. The year of 1759 opened with the conquest of Goree. Next fell Guadaloupe; then Tironderoga; then Niagara. The Toulon squadron were completely defeated by Boscawen, off Cape Lagon. But the greatest exploit was, the achievement of Wolfe on the heights of Abraham. The news of his glorious death and of the fall of Quebec, reached London in the very week in which the Houses met. All was joy and triumph; envy and faction were found to join in the general applause. Whigs and Tories vied with each other in extolling the genius and energy of Pitt. His colleagues were never talked of or thought of. The House of Commons, the nation, the colonies, our allies, our enemies, had all their eyes fixed on him alone.”—Why, because these events, so glorious in the eyes of the people and the world, were directed by his brilliant and commanding genius.

and exalting the national power—that these wars did not necessarily spring from the Colonial policy, as far as those of North America are concerned ; and that the cost of defending them has been met from *national* considerations, and ought not to be accounted a branch of the general expenditure, for which the present inhabitants of the Colonies can be held, in the most remote degree, chargeable.\* Upon this argument, however, I do not insist much. It is necessary for a vindication of the Colonies, but does not bear directly upon the question now upon trial. The point I shall discuss is, what the present expense is of maintaining and defending the Colonial possessions.

The public, Sir, have been grossly deceived, by those inimical to the Colonies, by exaggerating the annual expense of their support.† It has been stated, for example, by one of the more eminent of this party, that the Canadas have entailed upon the Mother Country an annual and additional outlay of some £500,000 to £600,000. In examining the account of their “ Military Establishments,” I find that the sums paid to the

\* Since the above was in press, I find the Quarterly Review has thus written upon the subject :—“ For what, after all, are many of our Colonial provisions, but outposts for the maintenance of the power of Great Britain,—bulwarks, like her floating castles, to keep up and defend the chain of her influence through all parts of the world : and is it reasonable to contend that, because these possessions belong to a warlike state, always exposed, from her preponderance in the affairs of Europe, to be the object of attack at the hands of her neighbours, that the Colonies, should, therefore, be compelled to submit to the expense of surrounding their coasts with batteries, and of keeping up a large military force to prevent the sudden descent of some European belligerent with whom England may be at war.”

† Scrope's Political Economy, p. 375.

troops stationed in both the Canadas were, in

|            |           |
|------------|-----------|
| 1828 ..... | £189,887  |
| 1829 ..... | 287,451 * |
| 1831 ..... | 231,586   |

In New Brunswick,

|            |              |
|------------|--------------|
| 1829 ..... | £27,645      |
| 1830 ..... | 25,982       |
| 1831       | No increase. |

In Nova Scotia and Prince Edward's Island,

|            |          |
|------------|----------|
| 1828 ..... | £132,820 |
| 1830 ..... | 144,257  |
| 1831 ..... | 115,175  |

In Newfoundland,

|            |         |
|------------|---------|
| 1829 ..... | £18,606 |
| 1830 ..... | 25,982  |
| 1831 ..... | 19,193. |

Taking, then, the actual expenditure of 1831, the whole cost of the Military Establishments of the Colonies was a charge on the public revenue, to the extent of £366,054; but as a large part, both of the expenditure in Canada and Nova Scotia, was applied to fortifications, which I contend were *extra*, and not *necessary* expenses, I shall be justified in reducing the actual cost of the Army to £250,000 or £260,000,—a sum less than one half of the alleged expense.

But I cannot suffer even this reduced sum to be a *necessary* charge against the Colonies of British North America. There may be some show of reason in charging the Dependencies with the cost of their Military Forces, during either the period of anticipated attack or of actual war. Jamaica and the other islands of the West Indies were rightly chargeable with the support of their troops, because they acted as a “*Cordon Sanitaire*,” to

\* Of this sum upwards of £25,000 were expended in public works.

overawe their slaves. It was upon this principle that the former of these has been called upon to contribute to the support of its garrison. But no such reason operates in North America. We have no labouring class, and goaded to rebellion by the whip, to keep in subjection by the fear of the bayonet, and of martial law. If the United States, the only quarter from which invasion may be apprehended—can reduce her peace establishment to an army of 6\* or 7000 men, with all her vast line of fortifications to uphold, and nations of hostile Indians to restrain or subdue, I can see no sound reason for maintaining an equal or greater number in these Colonies. America, as I shall show, is not to be dreaded as an invading power; her supremacy must be won upon the sea. These troops are kept there, as a part of the general and warlike policy of the empire; and as they are neither required to overawe the Colonists themselves, nor, to the same extent, to uphold their fortifications, nor defend them against invasion, it appears, that their location there ought not to be accounted as a *necessary* charge against the Dependencies incident alone to the possession of the Colonies. The actual expense of maintaining them there, besides, is *less* than their support would require in the United Kingdom; and if this military force be essential to the national safety or honour, the revenue gains by their foreign residence. We are prepared to pay our own *local* establishments—we contribute to the revenue, so far as our consumption of manufactures is exclusively restricted to those of Great Britain, equally with the inhabitants of Kent or Surrey. If there be any additional expense created by that part of the army stationed in the Colonies, with

\* By the official returns the American Military Force in 1829 is stated at 5.779 men.

that we are fairly chargeable; but the present establishment is far more numerous than is required for any necessary purpose. So little do the Colonists sympathize in its benefits, or feel the necessity for military array, that the Legislature of New Brunswick refused, at its last Session, to provide a colonial allowance for officers of the army, as militia inspectors; and there is, I fear, a growing feeling in Nova Scotia, which will compel the Legislature to adopt the same economy.

Upon the great question of the amount of military force required for the safety of the kingdom, I do not presume to enter. The Government, I am aware, Sir, are hedged in on this question by many practical difficulties; for a great retrenchment cannot be effected, without a violation of the national faith, and throwing out of employment and of bread, those veterans who have spent their youthful energies in the service of our country. But I would remark, that the standing army of the United States, can form no just criterion, by which to estimate the army required in Britain. She occupies a far more lofty position; and for the preservation of her liberties, and the protection of her commerce, it is necessary, that she should maintain a controlling influence, among the hostile nations by which she is surrounded. They all command numerous armies trained and ready at any emergency.\* France alone has an

\* From a Work on European Statistics, I extract the following Table :—

|                   |       |   |        |     |
|-------------------|-------|---|--------|-----|
| Armies of Prussia | ..... | 1 | Man in | 80  |
| Austria           | ..... | 1 | ..     | 118 |
| France            | ..... | 1 | ..     | 142 |
| England           | ..... | 1 | ..     | 229 |
| Pussia            | ..... | 1 | ..     | 57  |

Every Russian must be a Soldier at 24 years of age.

army of some 400,000 men, maintained at an annual expense of ten millions! A similar policy is forced upon our Government; and it is, perhaps, the maintenance of this force, and the supremacy of our navy, which preserves the peace of the world, and enables her to prosecute undisturbed the arts and sciences, and to find a market for her manufactures in so many regions of the earth.

I feel more secure in rejecting any part of the expenditures for the support of the navy, since the peace, as a charge upon the Colonies. In the first place I contend, that our fisheries have been most inadequately protected; and, in the second, that if these were hostile powers, from which Great Britain derived the same amount of trade, she would keep a larger fleet upon our coasts, than she has done since the close of the war.

It is the entertainment of these views, Sir, which induce me to place the extract from Mr. Hume's Speech, at the head of this letter, and now to solicit his co-operation, and that of his party, in defending the interests of these Dependencies.

Having detailed the preceding facts upon these branches of Colonial expenditure, I now proceed to inquire what are the corresponding advantages which the Mother Country derives from her Colonies. I shall endeavour to treat this succinctly, and confine myself to its leading and more imposing aspects.

My Lord Brougham has said, in his admirable work upon Colonial policy, that "the possession of remote territories understocked with capital and hands, is the only thing which can secure to the population of a country those advantages derived from an easy outlet, or prospect of outlet, to those persons who may be ill provided for at home." I place this, then, as one of the pre-eminent

advantages which Great Britain possesses from her North American Dependencies. I pretend not to discuss at this time the policy of a system of emigration, to be conducted with the aid of the national funds. As a colonist, I am free to confess, I am no advocate of its utilities; but, after the full investigation bestowed upon the subject by Parliament, the advantages of such an outlet are too obvious to be insisted upon. The evidence given before the Committee of the House of Commons, relative to the factory bill, prove that these North American Colonies, present to emigrants of small capital superior advantages, even to the United States. The following table exhibits the amount of emigration to these Colonies during the last eight years.

|      |       |         |
|------|-------|---------|
| 1825 | ..... | 8,741   |
| 1826 | ..... | 12,818  |
| 1827 | ..... | 12,648  |
| 1828 | ..... | 12,084  |
| 1829 | ..... | 13,307  |
| 1830 | ..... | 31,574  |
| 1831 | ..... | 58,067  |
| 1832 | ..... | *66,359 |
|      |       | <hr/>   |
|      |       | 214,578 |

Average of every year 26,822; but the average for subsequent years may be estimated at the full amount of 1832. In the year 1833 the total emigration from Great Britain was 103,313—more than one-half was absorbed by these Dependencies.†

In the possession of these Colonies, under the authority of Parliament, the kingdom retains a distant but friendly domicile for any number of her subjects, which

\* Parliamentary Papers.

† Parliam. Tables, vol. ii, p. 90.



the excess of population, or the exigencies of trade, may render it expedient to remove. If by any sudden, and unexpected depression it were necessary to transport a large portion of the working classes, Parliament could accomplish it, by the sovereignty of its own act. If these Colonies were embraced into the Union, or formed into confederate and independent states, they would have the power of resisting any sudden accession to their population. When the scenes of distress had here reached their acmé, these dependencies, if raised into hostile attitude, might shut their harbours by restrictory laws. Thousands now cross the Atlantic, whom the Colonies, if they had their veto, would not willingly receive. They treat them as fellow subjects—extend to them their charities, and form \*societies for their relief. The United States guard against a similar influx by the imposition of penal obligations upon the captains, to prevent their passengers becoming a charge upon the state. The Colonies, if their relations were disturbed, might follow this example. I will not deny that the system is beneficial to the Colonies upon the whole; but one of the great errors of the *doctrinaires* appears to be, that they make no allowance for the infirmities of human nature and of governments, and forget that the latter, like the ladies, will indulge their temper, even at the expense of their tranquillity and their interests. They reason upon the principle that all nations, at all times, will “act upon a nice balancing of present regulations, with a regard to comprehensive and ulterior consequences.” They believe the whole world is, and will continue to be, as wise as themselves. If this perfectibility is to be in politics, why not in morals? Why not argue for the

\* See Mr. Gould's Sketch, page 5.

razing of the Church and the abolition of law? When we have reached this halcyon age, it will be time enough to act upon these intellectual codes.

To the voluntary emigrant, in addition, who leaves his country in the search of fortune, it is an inestimable advantage to be removed into a society, animated by the same political and kindred sympathies. In the Colonies all the honours of society and of government are open to his attainment: not so in the United States. In them the higher offices are closed to foreigners; and, however little the feeling may operate here, I have heard it lamented by British emigrants, residing in the republic, as one of their most trying grievances. To a sensitive mind nothing is so painful as such exclusion. It is actual dishonour. They are, in fact, in the Atlantic States, a marked and proscribed people.

It will not be denied, I presume, that Great Britain has derived very signal benefits from the surplus population, which the provinces have already absorbed; but the space is but yet partially occupied, and the statistics I now proceed to detail, will show the boundaries of the field, and the new and sister Britain which England may create in this hemisphere.

|   |            |
|---|------------|
| Number of acres granted .....                                     | 27,336,927 |
| Cultivated .....  | 3,911,945  |
| Granted and uncultivated ..                                       | 23,424,979 |
| Ungranted and uncultivated  | 23,000,000 |
| Total available for immediate cultivation and<br>settlement ..... | 46,424,979 |
| Total area .....  | 50,336,952 |

The population of these provinces was estimated, in 1832, at 1,204,000 souls; but to this I would add

\* In this estimate the island of Newfoundland is not included; and it is thought that the area of the Canadas is largely underrated.

25,000 additional for Newfoundland, and 20,000 for Nova Scotia and Cape Breton; and if to these we add the 50,000 emigrants of last year, it will bring up the population to 1,300,000. Admitting that the four million of acres now cultivated, are capable of supplying the present population, 50 millions of acres, with the large area not included, would support, at least 20 millions. But, it is admitted, that the state of agriculture in the Colonies is yet far inferior to that of England, or of the finer districts of the Continent; and that, by a more improved system, the lands now cultivated are capable of supporting a far more numerous population. In the Report of the Committee on Emigration, in 1827, I find the following table:—

In the United Kingdom there appears to be—

|                  |       |                   |
|------------------|-------|-------------------|
| Acres cultivated | ..... | 46 522,970        |
| Uncultivated     | ..... | 15,000,000        |
| Unprofitable     | ..... | 15,871,455        |
| Total            | ..... | <u>77,394,455</u> |

From this it appears that the extent of land, capable of cultivation in the Colonies, is larger than the whole cultivated area of Great Britain, Ireland, and the British Isles; and as it is conceded, that both the soil and the climate are superior, I am justified in stating that they promise a domicile to a population of 35 or 40 millions—fully one half more than the present number of inhabitants in the United Kingdom.\*

Mr. Arthur Young, in his travels in France, states, that, at the close of the Revolution, it was a favourite theory in the political circles of Paris, that the separation

\* See Appendix.

of the Colonies from the Mother Country would eventually be no injury to England. That the population would still remain to her as customers, and that the demand would even be increased, from their prosperity being quickened and accelerated, under their own wiser guardianship, and the benign influence of their freer constitutions. The same doctrine, I am aware, has been since reiterated, and is the article of a political creed, entertained by an influential and talented party in this kingdom. In the 84th Number of the Edinburgh Review it is said “has the emancipation of the Colonies been in the slightest degree prejudicial to our wealth, commerce, and industry? The reverse as every one knows is decidedly *the fact*. We have continued since the peace of 1784, to enjoy every previous advantage resulting from our intercourse with the Colonies; and we have done this without being subjected, as was previously the case, to the heavy expense of maintaining armaments for the defence of such distant and extensive territories. The value of the commodities now actually exported from Great Britain to the United States is upwards of seven times the value of the commodities exported to the Colonies previous to the war, and when we had the exclusive monopoly of the supply.”

Let me deal first with “this fact.” To me it appears that all the evidence of statistics leads to an opposite conclusion.

\* “*Exports from Great Britain to the United States, 1819 to 1823.*”

|  |       |            |
|--|-------|------------|
| Average of five years, previous to the war | ..... | £2,664,205 |
| From 1819, to 1823                         | ..... | 5,667,890  |

\* Prepared from papers in the Library of the House of Lords.

The population of 1770 being about 2,000,000 that of  
1820, 10,109,362 the latter in the same ratio ought  
to consume    ..    ..... 13,462,200

| UNITED STATES.                                       |            | BRITISH NORTH AMERICA.                     |             |
|--|------------|--|-------------|
| Population, 1820 .....                               | 10,109,362 | Population 1824, .....                     | 775,107     |
| Value of exports from Great Britain, 1823, .....     | £6,141,430 | Value of exports, 1823, ....               | £1,864,240  |
| Exports, British tonnage .....                       | 63,890     | Exports, British tonnage ..                | 318,798     |
| American ditto, ..                                   | 140,491    | Foreign (none)                             |             |
| — — — — —  | 204,381    |  |             |
| Consumption of manufactures, per head, 1823..        | 12s. 2d.   | Consumption of manufactures, per head..... | £2. 8s. 1d. |
| Ditto, of British Colonists, from 1769, to 1773 .... | 26s. 7½    |  |             |

If the population of the United States were to consume British produce and manufactures in the same ratio as the British provinces, the exports would amount to £24,317,800, and the tonnage to 4,160,000.”

Let me exhibit the result to which the later statistics conduct us. In\* Mr. Irving’s table of the trade of the United Kingdom, for the year ending the 5th January, 1833, the exports of British produce and manufactures are stated—

|                               |             |          |
|-------------------------------|-------------|----------|
| United States, .....          | £12,007,208 | 8s. 11d. |
| British Northern Colonies, .. | 2,858,514   | 19 9     |

The† population of the United States, in 1830, is recorded at 12,856,171. I take the round number of thirteen millions. The population of the British Colonies has been stated already at 1,300,000. The amount of British manufactures consumed by each

\* Presented to the House of Commons by Mr. Spring Rice, 24th May, 1833.

† Reuss’ Tables, 262.

inhabitant of the two countries would, according to these data, be—

|                          |                       |
|--------------------------|-----------------------|
| United States .....      | 18s. 5½ <i>d.</i>     |
| * British Colonies ..... | £2. 3s. 11¾ <i>d.</i> |

But I contend that the ratio is greater from the superior wealth and state of advancement in the former. They are older and richer countries. The incomes and expenditure of the people are greater, and it is obvious that as the expenses of a family ascend, a larger proportion will be appropriated to articles of luxury or convenience—to those products of skill and industry, with which Great Britain supplies the world. I anticipate the future consumption of the Colonies to increase in a ratio, not only with the increasing population, but also with their increasing wealth.

If the consumption of British manufactures was the same in the United States, as in the Colonies, the amount of exports in place of £12,007,208, would be £28,585,140 sterling.

I am prepared, Sir, to meet the argument, that this singular result may be in part ascribed to our own

\* It will be attempted to answer this argument by contending that a large part of the exports of Canada are smuggled by the lakes into the United States. That this illicit trade is carried on to some extent cannot be denied. But Nova Scotia, I am aware, has no share in this contraband exchange. Her population, in 1833, is estimated at 185,000, the exports from Great Britain are £577,285, Her population consumes, therefore, upwards of £3 per head. I believe the above estimate to be less than the truth would warrant. See, upon the subject, Sir Howard Douglas's Consideration, p. 8, and also Cambreleng's Report, p. 28. This argument is very ably illustrated in a memorial addressed to Lord Goderich, while Secretary of the Colonies, in 1832, by John Bainbridge, Esq., (of London,) Provincial Agent for Nova Scotia and Prince Edward's Island.

restrictory laws, and is, therefore, rather an argument against, than in favour of their continuance. I deal not now with hypotheses. I confine myself to the fact. The United States, since the first hour of their independence, has pursued a policy, favourable to their own emancipation, and to render her people independent of foreign supplies. It will be said that we ourselves compelled such policy. I answer again, that even that does not alter the case, nor affect the bearing of the argument. It has been the governing principle of all her past legislation. I believe that the Northern States are now prepared to exclude British manufactures altogether, were they not controlled by the other parts of the Union, who propitiate the favour of England, because she offers the best mart for their domestic productions. The comparative advantages under which the British manufacturer introduces his articles into the two divisions of America, will be best illustrated by the following table :—

*Comparative View of the Duties payable on Articles of European manufacture, consumed in the United States and the British Northern Colonies, adjusted to the New Tariff.\**

| BRITISH AMERICA.                              | UNITED STATES.  |
|---|---|
| Woollen goods per cent. ad val $2\frac{1}{2}$ | 10 to 75 per cent   |
| Cotton .....                                  | 25 .. 125   |
| Silk .....                                    | 5 .. 40   |
| Linen .....                                   | 25  |
| Leather goods.....                            | 30 .. 100   |
| Earthenware and China ....                    | 20 .. 30  |
| Hardware .....                                | 25 .. 25  |
| Iron and steel manufactures ..                | 10 .. 125   |
| Iron in bar or sheets .....                   | 100 .. 200  |
| Cables and anchors .. .. }                    |   |
| Salt.....                                     | 5 <i>d.</i> per bushel besides a State Excise of $6\frac{3}{4}$ <i>d.</i> |

\* See Martin's "Taxation of the British Empire," p. 155. In Nova Scotia the duties are  $3\frac{3}{4}$  per cent.

There are no duties imposed on British goods in Newfoundland, and all articles for the use of the fisheries are, in the Colonies, duty free.

It will be recollected further, that from the peculiar constitutions of the Colonies, no act can go into continual operation, unless sanctioned by His Majesty in Council.\* They have not, therefore, the power to add to the present imposts, unless the Crown approve of their being levied. But I contend they have not the inclination ; and, were the present taxes not necessary to raise a revenue for local purposes, they even would not be collected.

The grand error committed by the theorists, in the consideration of this subject, is the mingling of the *past* with the *present*. The question to be decided is not, whether the by-gone policy of the Government has been good or bad ; whether approved or not by sound philosophy ; as, from an enlarged view of our present situation, to devise the most eligible policy we can adopt for the future. If the Americans remained now exclusively an agricultural people, as they were at the time of the Revolution ; and our Cabinet could offer them a friendly alliance, and reciprocal freedom in the exchanges of the respective products of the two countries, this policy of pure reason and of deep searching philosophy might adjust the existing relations. But we must recollect that certain changes, new modifications of the social structure, and a new class of feelings, have developed themselves in the progress of time. It matters not, whether we have taught them, or they have taught themselves, the necessity or ambition of becoming a manufacturing people. The

\* See Stokes upon the Colonies, p. 251.



desire now exists; it is deeply rooted. They are allied to it by the binding pledge of capital embarked, and the fixed habits of a part of the population.\* Their existing tariff is the best evidence of the intensity and ardour of the feeling. That of 1828 represents, I believe, the intelligence—at least the urgent wishes of the Northern States. It was not modified, in 1832, from any comprehensive and generous reception of the doctrines of Free Trade, but by the irresistible argument of the guns and bayonets of the South Carolina Militia. General Jackson, in his last message to Congress, has proposed no change in the restrictory imposts. Mr. Cambreleng's Report, whatever may be its value as an argument, is rejected by intelligent Americans as of no authority, and represented even as a blot upon the sagacity of his judgment. In the work intitled, "England and America,"† lauded so highly by the reviews, there is a chapter devoted to the defence of

\* In an article in the January (1832) No. of the North American Review, upon the novel doctrine of "Nullification," and in which the policy of the protecting system is zealously supported, it is said, "the importation of foreign goods, free of duty, for five years, (into South Carolina,) would, of course, destroy all our foreign manufactures, and ruin that part of our population which is employed on them. The value of the manufactures annually produced in this country, is estimated, by Mr. Gallatin, at about 1,500,000 dollars —probably a very low computation. Supposing the ordinary rate of profit, on this branch of industry, to be at from six to seven per cent.; this amount of annual products represents a capital of a thousand million dollars, which would be swept at once into nothing. This is another trifling item to be added to the cost and charges of nullification." This doctrine, as the reader well knows, has sprung out of the debated question of the Tariff—the policy or impolicy of encouraging domestic, by imposing heavy duties upon the importation of foreign, manufactures.

† Vol. 11, p. 47.

the tariff, which is valuable as illustrative of the specious show of reasoning by which the system can be supported. Believe not, Sir, that America will be persuaded to abandon it. Sacrifice your Colonies to her and other powers, she will still pursue the same steady principle of self aggrandizement. Ruin your 44s. annual customers, for these who buy 18s. 6d.; and the sage counsellors, who would dictate the policy, would find, I apprehend, that they might reduce the consumption of the one, but that it was beyond *their* power, or that of the philosophy of Free Trade, to increase the other. Be not persuaded, Sir, to take any Utopian views of political economy, but deal with it as you would with mankind; and in its workings, as you would in searching for points of character, make large allowances for all the passions, the eccentricities, and the infirmities of our nature. If it is a science founded upon human reason; and in contemplating its results, we must regard man as *he is*, and nations as *they are*, and not as what *he or they ought to be*.

There is another view of this question which I have not seen pressed in any previous publication, and which appears to be of primary importance. The facts I have already exhibited touching the rights of fishery, granted to France and the United States, upon the shores of the British American Dependencies, prove, at least, that both of these nations hold them in high esteem. When the Colonists have preferred any complaint, and prayed that the advantages which nature had conferred should be retained for their exclusive enjoyment, the Government have replied, that these were a "part of the general policy," and formed one of the main considerations of the general treaties. To the Colonies, how-

ever, the treaties with these powers have granted no peculiar or exclusive advantage. The sacrifice called for on their part, is a sacrifice not for themselves, but for the general interests of the empire. I freely confess my own inability to trace in these treaties the *quid pro quo*; but, if the assertion of the Government be true, that corresponding advantages *were* derived as a return for those concessions, they ought to be placed to the credit of the Colonies; and, comparing value to value, they would be far more than an equivalent for the present Colonial military expenditure of £250,000 per annum. The values of the American and French fisheries have been estimated at £814,375 sterling per annum; but as it is apparent that both nations prosecute them, not so much as means of profit, but as the sources of a commercial and naval marine, they are to them a privilege yielding more than three times the amount of the annual cost of maintaining these Dependencies; and if it be true that the British nation, by virtue of these treaties, enjoy an equivalent, the Colonies in place of being a source of expense, are, in this single point of view, one of actual gain.

## APPENDIX TO LETTER VII.

ON the comparative advantages of directing the stream of emigration to the Colonies, in place of allowing it to be diverted to the United States, Mr. Bainbridge, in his Memorial to Lord Goderich, presents the following calculations :—

“ Let the consequences of emigration to the United States, as affecting the general interests of England, and the political power of the empire be then considered, and it will clearly appear :—

“ First—That all the physical and moral power which England loses by emigrations to the United States, is gained by that powerful, political, and dangerous commercial rival nation, and that in a two-fold calculation ; for if 50,000 emigrants remove to the United States, instead of to British America, the difference as regards England in respect to power, and demand for our fabrics, will be equal to that of 100,000 persons annually.

“ On the declaration of independence, the population of the United States, was stated to be 2,172,000.

“ In 1832, the population is about 14,000,000.

“ In twenty years hence it will amount to at least 40,000,000.

“ This calculation is moderate, when we consider the actual emigration added to the natural increase of the population, and the vast resources of the gigantic territories of that republic.

“ By a careful examination of the Custom’s returns for the last fifteen years, we find that each settler in British America, creates a demand of 48*s.* 7*d.* for British fabrics, and that each person in the United States only requires about 6*s.* 10*d.* worth. Not but what the inhabitants of the American Republic consume, at least, the same quantity of manufactured articles as those of British America; but the difference between 6*s.* 10*d.* and 48*s.* 7*d.* is supplied from the continents of Europe, from Asia, and by their own factories, which are fostered by an exorbitant protective tariff.

“ Now, the 50,000 British subjects who have annually, for the last five years, become American citizens, occasion, at this day, a decrease in demand for our fabrics to the amount of half a million annual value, which would be required by those people, had they removed to the British Colonies; for example, if we calculate the difference of consumption at 40*s.* each, we find, that, on the

|   |             |          |
|---|-------------|----------|
| First Year, 50,000 individuals would require, |             |          |
| in goods, annually, to the value of.....      |             | £100,000 |
| Second ditto 100,000                          | ditto ..... | 200,000  |
| Third ditto, 150,000                          | ditto ..... | 300,000  |
| Fourth ditto, 200,000                         | ditto ..... | 400,000  |
| Fifth ditto, 250,000                          | ditto ..... | 500,000  |

Therefore, without allowing for natural increase,  
the difference of demand for British Goods, is £1,500,000  
To which add passage money, lost to the British ship owner, and given to the Americans,  
£3 for each passenger ..... 750,000  
Provisions supplied by the Americans, the  
value of which supply lost to the landed

---

Carried forward.. £2,250,000

|  |            |
|--|------------|
| Brought forward . . . . .  | £2,250,000 |
| interest in England, 40s. at least, for each<br>passenger . . . . .  | 500,000    |
| Average sum of money carried to the United<br>States, at a moderate calculation, £24 for<br>each family of six persons, or £4 each . . . . | 1,000,000  |
| Returned freights lost to British shipping . . . .   | 640,000    |
|  | <hr/>      |
|  | £4,390,000 |

Estimated loss to Great Britain in money, and much below the actual amount, exclusive of the physical and moral power gained by the Americans from emigrations during the last five years.

“ Let us, therefore, for the sake of argument, conclude that the Government will sell wilderness lands in British America to corporate bodies, on such terms as would induce capitalists to invest their money in improving those lands, and opening such facilities to emigration, as to induce even 30,000 of those who would otherwise remove to the United States, to settle annually in the British Colonies.

“ What, then, will be the effect in respect to the augmented power gained and maintained in her Colonies by England?—the additional demand for our fabrics; increased freights for our ships; increased demand for provisions grown or raised by the farming classes at home; the consequent diminution of poor rates; and the general effect of increased industry and trade in relation to the Revenue.

“ We have taken the very reduced scale of 30,000 annually, which would, in twenty years, give 600,000 additional inhabitants to British America, and prevent the same number from adding power to the United States; the difference by this calculation would be 1,200,000,

but the probable difference in favour of Britain, taking the natural increase and actual migrations into account, would be nearly 4,000,000 inhabitants, requiring £8,000,000 of manufactured goods from the United Kingdom, and creating employment, including the shipping and landed interests, to the annual value, in wages, of at least £15,000,000.

“ The following calculation will exhibit the political value of directing, for the next twenty years, to British America, 30,000 annually, of those who would otherwise go to the United States.

| Years. | Emigrants. | Difference of demand for British fabrics. |           |
|--------|------------|---|-----------|
| 1      | 30,000     | 30,000 at 40s. ....                       | 60,000    |
| 2      | 30,000     | 60,000 .....                              | 120,000   |
| 3      | 30,000     | 90,000 .....                              | 180,000   |
| 4      | 30,000     | 120,000 .....                             | 240,000   |
| 5      | 30,000     | 150,000 .....                             | 300,000   |
| 6      | 30,000     | 180,000 ..                                | 360,000   |
| 7      | 30,000     | 210,000 .....                             | 420,000   |
| 8      | 30,000     | 240,000 .....                             | 480,000   |
| 9      | 30,000     | 270,000 .....                             | 540,000   |
| 10     | 30,000     | 300,000 ...                               | 600,000   |
| 11     | 30,000     | 330,000 .....                             | 660,000   |
| 12     | 30,000     | 360,000 .....                             | 720,000   |
| 13     | 30,000     | 390,000 .....                             | 780,000   |
| 14     | 30,000     | 420,000 .....                             | 840,000   |
| 15     | 30,000     | 450,000 .....                             | 900,000   |
| 16     | 30,000     | 480,000 .....                             | 960,000   |
| 17     | 30,000     | 510,000 .....                             | 1,020,000 |
| 18     | 30,000     | 540,000 .....                             | 1,080,000 |
| 19     | 30,000     | 570,000 .....                             | 1,140,000 |
| 20     | 30,000     | 600,000 .....                             | 1,200,000 |

---

600,000      Emigrants requiring the value of £12,600,000  
in British Goods.

Add passage money to America, in American Ships,  
for 600,000 emigrants, £3 each      ..... 1,800,000

|   |             |
|---|-------------|
| American provisions, £2 .....                   | 1,200,000   |
| Cash carried to America, which never returns to |             |
| England, each individual £4. 0s. 0d. . . . .    | 2,400,000   |
| Return freights lost to British ships.....      | 1,536,000   |
|   | <hr/>       |
|   | £19,536,000 |
|   | <hr/>       |



## LETTER VIII.

*British and Colonial Shipping—Exports to the Colonies and the Northern Powers of Europe contrasted—Considerations upon the Reciprocity Treaties—British Trade with America—Statistics of Nova Scotia—Present condition, trade, climate, and state of improvement—Value of the Fisheries of Newfoundland—Colonial Fisheries—Comparative progress of the Colonies, and the United States and Great Britain, in population, &c.—Mr. Scrope on Colonization.*

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“ ‘ I must have Ships, Colonies, and Commerce,’ was the angry mandate of the most inveterate and the most powerful foe that Great Britain ever had to contend ; and he was right,—because, as he well knew, it was by the possession of these alone, that our little Island was enabled to resist and to persevere in resisting, the gigantic power, which in the sequel her perseverance subdued.”—*Article in the Quarterly Review, on the Political Importance of our American Colonies. vol. 33. p. 410.*

“ I shall observe further, on this point, that the British Provinces are just emerging from a state of infancy, of youth ; that their numbers are rapidly encreasing,—and that their demands for English goods are more than keeping pace with the increase of numbers, in consequence of their more enlarged tastes and greater desires for refinements, which have been fostered under a good Government, and which may be expected to expand more rapidly under the wise changes recently introduced into the Colonial Administration. These rapidly increasing wants, it must be recollected, give constant employment to whole fleets of British ships, afford a vent for English manufactures of almost boundless extent, and tend to bind all parties more closely together.”—*Capt. Hall's Travels in North America, vol. 1. chap. 14.*

“ The benefits arising from the possession of Colonies, have been as much underrated by one class of politicians as they have been

overdrawn by another. It is strange that these economists, who deny that the commercial intercourse with a Colony offers any advantages whatever over one carried on with independent States, should overlook this essential distinction between the two, that the one is almost wholly at the mercy of foreign governments, which, from motives of caprice, hostility, or false views of policy, may prohibit the entry of our vessels, or produce, into their States; while the other is secure (as long as the Colony remains attached to the Mother Country) of being carried on upon the terms which the common government considers to be most conducive to their common interest. Here is *undeniable ground for awarding a preference to Colonial over foreign trade.*"—*G. P. Scrope, Esq., M.P., on Political Economy, p. 374.*

I PROCEED, Sir, to furnish, in this letter, some additional statistics connected with the Colonies, although after the numerous and elaborate works,\* which have lately been published on the subject, it would be supererogatory to repeat all which has been already so fully illustrated. The facts I shall adduce will apply themselves to the argument I am conducting, so as to bring my statements within the general design and scope of these letters.

To show the value and importance of the British North American trade to the shipping interests of the Empire, I exhibit the following table. Although it embraces only three years at different periods, I have selected these, more with regard to their average amounts, than because they favoured, more strongly than others, the conclusions I am anxious to enforce.

Statement of the number of Vessels which entered

\* See M'Gregor's "British America." Bliss's "Statistics of the Trade, Industry, and Resources of Canada, &c." "Sketch of the Trade of British America," by Nathaniel Gould, Esq. The British Dominions in North America," by Col. Bouchette, and Marshall's Tables, under the head of "Colonies and Shipping," pages 215 to 219.

inwards, and cleared outwards, in the different parts of Great Britain :—

1820.

|   | Entered Inwards. |           |         | Outwards. |           |        |
|---|------------------|-----------|---------|-----------|-----------|--------|
|   | Ships.           | Tons.     | Men.    | Ships.    | Tons.     | Men.   |
| British Ships . . . . .                                 | 11,754           | 1,667,930 | 100,307 | 10,102    | 1,549,508 | 95,849 |
| Of the above from and to<br>the British N. A. Colonies, | 1,440            | 343,377   | 16,810  | 1,497     | 341,650   | 17,616 |

Of the entries inwards, these Colonies thus gave employment to about *one-seventh* of the number of ships, more than *one-fifth* of the amount of tonnage, and *one-sixth* of the number of sailors.

1825.

|                              | Entered Inwards. |           |         | Outwards. |           |         |
|------------------------------|------------------|-----------|---------|-----------|-----------|---------|
|                              | Ships.           | Tons.     | Men.    | Ships.    | Tons.     | Men.    |
| British Ships . . . . .      | 13,516           | 2,144,598 | 123,114 | 10,848    | 1,793,994 | 109,600 |
| British N. A. Colonies . . . | 1,856            | 489,844   | 22,878  | 1,817     | 463,906   | 23,285  |

The proportions, in this year, ascend in favour of the Dependencies.

1831.

|                              | Entered Inwards. |           |         | Outwards. |           |         |
|------------------------------|------------------|-----------|---------|-----------|-----------|---------|
|                              | Ships.           | Tons.     | Men.    | Ships.    | Tons.     | Men.    |
| British Ships . . . . .      | 14,448           | 2,367,322 | 131,627 | 13,791    | 2,300,731 | 132,004 |
| British N. A. Colonies . . . | 1,758            | 480,236   | 22,276  | 1,804     | 473,338   | 23,257  |

1832.

|                              | Entered Inwards. |           |         | Outwards. |           |         |
|------------------------------|------------------|-----------|---------|-----------|-----------|---------|
|                              | Ships.           | Tons.     | Men.    | Ships.    | Tons.     | Men.    |
| * British Ships . . . . .    | 13,372           | 2,185,980 | 122,594 | 13,292    | 2,229,269 | 128,293 |
| British N. A. Colonies . . . | 1,872            | 504,211   | 23,333  | 1,872     | 489,283   | 23,570  |

The proportions depressed in 1831, again ascend,

\* Porter's Tables laid before Parliament by command of His Majesty, 1833.

in 1832. In that year, of the imports, these Colonies gave occupation to more than *one-seventh* of the total number of ships, nearly *one-fourth* of the amount of tonnage, and *one-fifth* of the number of sailors.

I have already contrasted the comparative amounts of exports to the United States. In examining the amount of exports to all foreign countries, the following striking result presents itself.

*Exports from Great Britain in 1832.*

|                                | British produce and<br>manufactures. | Foreign & Colonial<br>merchandise. | Total.           |
|--------------------------------|--------------------------------------|------------------------------------|------------------|
| * British Northern Colonies .. | £2,767,799                           | 266,198                            | 3,033,997        |
| Russia .....                   | 1,746,573                            | 856,804                            | 2,603,377        |
| Sweden .....                   | 94,587                               | 67,786                             | 162,373          |
| Norway .....                   | 92,053                               | 58,010                             | 150,063          |
| Denmark .....                  | 173,280                              | 83,423                             | 256,703          |
| Prussia .....                  | 264,618                              | 564,656                            | 829,274          |
|                                | <u>£2,371,111</u>                    | <u>1,630,679</u>                   | <u>4,001,790</u> |

By this comparison, then, it appears, that the British North American Colonies consume a larger quantity of British produce and manufactures than these five great Northern Powers, for whose trade, it is chiefly recommended, that the Colonial policy should be abandoned. The difference in favour of the Colonies is, by the above table, no less a sum than £396,688 !

The Colonies contain 1,300,000 inhabitants. The following is the estimated population of the Northern Powers :—

|                           |            |
|---------------------------|------------|
| † Prussian Monarchy ..... | 12,464,000 |
| Sweden and Norway .....   | 3,866,000  |
| Danish Monarchy .....     | 1,950,000  |
| Russian Empire .....      | 52,625,000 |

\* Porter's Tables, 2 vol. 51—from returns made by the Registrar General of shipping, expressly for the work.

† See table in the Companion to the British Almanac for 1829, p. 72.

The statement I believe to be strictly accurate as regards three of these Continental nations ; but a larger amount ought to be added to the exports of Prussia and Russia, as a part of the manufactures required by them pass by inland transit through Germany and the Netherlands. “ Of the exports which figure under the “ head of the Netherlands, a great part is destined for “ Germany, and of these, as well as of the value which “ appears under the head of Germany, a very large portion is for Russia. The exports from England which “ are actually cleared out for Prussia, comprehend only “ the small portion destined for the comparatively thinly “ peopled coast of the Baltic, or bulky articles destined “ for Silesia and Poland. By the Elbe, the Rhine, and the “ Weir, Prussia draws the great bulk of her supplies of “ Colonial and British manufactured produce.”\* With this statement, from a writer who has apparently a local knowledge of the trade, I do not presume to state any ratio in figures ; but these data furnish ample materials to the politician to enable him to discover, how much more actively the power of consumption is in operation in our North American Colonies, than in those nations, with whom treaties of “ free reciprocity ” are cried up by one party, as of such pre-eminent importance to the national prosperity.

I have purposely abstained from entering, at any length, into the question of the *timber trade* ; first, because it is doubtful whether the subject will be again mooted by the Ministry, and, secondly, because I have understood that a writer,\* before distinguished for his per-

\* See Pamphlet on “ Averages at Hamburgh,” 1833.

\* Sir Howard Douglass, Baronet.—The subject also has been skilfully treated in a pamphlet lately published in Glasgow, entitled “ *Remarks on the Importance of preserving the existing Scale of Duties*

sonal sacrifices and zeal in behalf of the Colonies, has now in the course of preparation an elaborate work upon the subject. There are one or two views, however, which present themselves, which I am anxious to offer for fair investigation.

It is contended, in the first place, by the party inimical to the Colonial possessions, that their prosperity has been advanced, and their capacity of consumption increased, by the system of protection extended towards them. I admit this as fair argument. It is further contended, that the restrictions imposed upon the introduction of the products of foreign countries, have curtailed *their* means as purchasers, and of course have reduced the amount of their imports. If this be true—the sequence of cause and effect—it follows, that if this protecting and restrictory system be abandoned, the one will be depressed to advance the other. The admission of foreign timber and other foreign productions, will essentially lessen the demand for Colonial. Now the first inquiry is—is this a sound policy? Is it right to depress the interests of one set of customers, attached to you by all the ties of blood, friendship, and political alliance, to the number of 1,300,000 souls, consuming to the amount of £2,858,514, at the rate of £2.3s. 11 $\frac{3}{4}$ d. per head, for others, who have been hostile, and may be hostile to you again, and who, amounting to nearly 70,000,000, in all consume, according to the showing of the public accounts, of the manufactures of the Kingdom £2,371,111. If our insular situation renders the safety and glory of of the nation dependant upon maritime supremacy, and this again can only be supported by a commercial ma-

*on North America and Foreign Wood,”* with an appendix containing an abstract of the evidence given before a Committee of the House of Commons.

rine—if your shipping interests are now depressed, under the present partial competition, to a degree which renders them clamorous for aid,\*—will it be politic to expose them to a more extended competition, and to sacrifice a trade which, of your 13,372 ships, gives employment to no less than 1,872? I will not press here the argument of the advantage of a Colonial, from its being essentially a home trade—because the principle is now as familiar as household words, and is sanctioned by the most distinguished names.† Will however these powers reciprocate with you, *to the extent of the concessions they demand*? I have it from the best authority, that some have already refused your offer; others to whom the generosity has been extended, meet it with no kindred amenities. Admitting the restrictive system to be a bad one, I ask the same question as regards them, which I pressed in regard to America. Has it not taught these nations in some measure to rely upon their own resources, and vindicated the policy, on which they now act, of rendering themselves, by a system of bounties, at least partially independent of foreign supplies? If the intelligence, the industry and virtue of the British people, confer upon us certain advantages, are not these in part retarded by the heavy taxation and burthens to which they are subjected? Is it true that we can stand free competition, so long as the national debt, the church and the poor laws react so fearfully upon the national in-

\* See Report of the Committee of the House of Commons on Trade, &c., and the Speech of George F. Young, Esq. M. P. at the general meeting of the Shipping Association, held at the London Tavern, January 7th, 1833.

† Smith's *Wealth of Nations*, vol. iii. Lord Brougham's *Colonial Policy*.

dustry? I defend not the policy by which they are created, but *they exist!* and cannot be got rid of without a breach of national faith, and perhaps the accomplishment of national ruin. In adding to the prosperity of the Colonies you add to the wealth of the nation,—they are integral sections of the empire,—part and parcel of the British people. Let us, however, contemplate the ulterior consequences of the change. If you increase the trade of these Northern powers, you will of course facilitate the accumulation of their wealth. Wealth will seek employment. Where is it to be found? In the cultivation of the soil,—they already raise enough to support their own population, and to supply the demand from Britain. I fear it will only increase their powers of competition as our rivals in manufactures; and that, if even now they condescend to reciprocate, the disposition will only continue, until they have sucked us of our wealth, and they may then be ungrateful enough, like the consumer of the orange, “to cast the peel away.” I present these views with all the humility which their surpassing importance demands, and will be happy, if the sagacious inquiries, and common sense of the sound part of the people, should confirm them.

Although Mr. Scrope, in his late work upon Political Economy, is so earnest an advocate of the doctrines of Free Trade, his own mind is evidently impressed with the force of this line of argument, and he frankly recommends the continuance of the “Protective System” to the Colonies. I am unwilling to press, by any formal exposition, the conclusions to which these admissions conduct, and will content myself with fortifying my own views by the following quotations from his work:—



“ The argument for the protection of foreign importation, with the view of encouraging native industry is extended to our Colonies; and it is urged, that to encourage and protect colonial industry, we ought to exclude or place under restrictive duties such foreign articles as we could obtain from them. To the extent to which the doctrine is usually carried into practice in our colonial system, its unsoundness is made palpably manifest, by the same considerations which exhibit the fallacy of the home protective system.”

I give the above extract in justice to the author. I rest content with his own exception to the general rule. It is this,—the *italics* are in the original:—

“ *To a certain limited extent*, the argument as to the expediency of encouraging the production, within our own territorial limits, of the commodities required for the satisfaction of our wants, is sound, and perfectly admissible. Until nations are perfectly convinced of their community of interest—until all national jealousy and animosity is extinguished—until the possible occurrence of war, and the interruption which it places in the way of foreign commerce be prevented!—it *will* be safer for a nation to produce within its own limits the commodities it requires. The exchange of such productions cannot be impeded by the commercial jealousy or political hostility of other states, and this security is worth *some sacrifice*. But the *amount* of the sacrifice is the entire question, it may be worth while to levy duties of five, ten, fifteen, or even twenty per cent. on this object; and as the revenue derived from this source will save the necessity of imposing an equivalent of taxes in some other form, the imposition

“ of Custom House Duties on foreign imported commodities is, on this ground, the most adviseable of all means of raising a revenue. It does not burthen industry more than any other tax, and it affords the additional advantage of securing, to a certain extent, the trade and industry of the country from being injured by the folly and violence of other governments.”

In reading this paragraph it must be carefully distinguished, that the author recommends the system of protection, not so much from its affording a revenue, as from its securing the national independence. This is the important and original consideration ; the former is collateral and subsidiary. I will only add, that if every advocate of the modern doctrines of Free Trade be equally liberal and equally practical, as to admit the necessity of Colonial protection until “ all national animosity and jealousy” are extinguished, and “ until the *possible* occurrence of war, and the interruption which it places in the way of foreign commerce” can be prevented, the Colonists and their friends will be perfectly content to acquiesce in the views of their adversaries, and pledge themselves to submit to the abandonment of the system, so soon as these halcyon times have arrived.

Much, has been said, of the value of the American Trade to the British commercial marine. It would be folly to deny that it does contribute essentially to the prosperity of the nation, but of the danger to be anticipated from the United States, as a rival naval power, the comparative amounts of British and American Shipping, employed in the trade between the two countries, since the convention of 1815, present a curious and striking illustration. By the terms of that treaty the vessels

of either power were admitted on equal terms into their respective ports. Mark the consequences of this free competition!\* I am informed, by merchants of the first intelligence, and largely engaged in this branch of the national commerce, that the British Merchants have, or might have, an equal command at least over the transit of goods, as the American, and that the large amount of tonnage employed by the latter, is a practical proof that they can sail and navigate their ships on more advantageous terms than the British ship owner.

*American Trade with Great Britain.*

|                                 | Inwards. |         |       | Outwards. |         |       |
|---------------------------------|----------|---------|-------|-----------|---------|-------|
|                                 | Ships.   | Tons.   | Men.  | Ships.    | Tons.   | Men.  |
| 1820.—British .....             | 114      | 29,490  | 1,434 | 199       | 51,321  | 2,602 |
| American .....                  | 522      | 159,418 | 7,049 | 480       | 146,322 | 6,660 |
| Difference in favour of America | 408      | 129,928 | 5,615 | 281       | 95,001  | 4,058 |
| 1825.—British .....             | 133      | 38,943  | 1,843 | 156       | 44,544  | 2,352 |
| American .....                  | 599      | 196,863 | 8,487 | 600       | 190,718 | 8,819 |
| Difference in favour of America | 466      | 157,920 | 6,644 | 444       | 146,174 | 6,467 |
| 1830.—British .....             | 197      | 65,130  | 2,948 | 281       | 91,551  | 4,344 |
| American .....                  | 609      | 214,166 | 9,185 | 611       | 211,714 | 9,439 |
| Difference in favour of America | 412      | 149,036 | 6,237 | 330       | 120,163 | 5,095 |

This relative inferiority has been in some degree

\* The operation of the system deserves more consideration from the fact, that it is the first of the “Reciprocity Treaties,” and it is said that the entertainment of it with the United States has rendered the Northern Powers more importunate in their demands. I state this fact upon the authority of a recent article in the London “Times.”

† Porter’s Tables laid before Parliament last Session.

altered since 1830, in consequence of the arrangements made, relative to the Colonial trade.

Contrasting the returns for 1830 and 1831, Mr. Reuss, in his Tables, states, (p. 268,) “ that in the latter year in “ the trade to Great Britain, the decrease of American ton- “ nage was 80 tons, and the increase of British 123,729, “ while in the Colonial trade, the decrease in American “ tonnage was 22,237 tons, and the increase of British “ tonnage 102,133 tons.” I draw from this another and triumphant argument in favour of the Colonies, by showing their *collateral* as well as *direct* influence upon the interests of the British commercial marine. While we contemplate the great superiority which America possesses in the carrying trade between the two countries, the anxiety manifested by Lord Castlereagh in 1817 to have the convention of 1815 perpetuated, may be subject of surprise ;—but that of the American Plenipotentiary will only be regarded as a part of their national tactics.\* “ From the manner in which his Lordship mentioned this subject, and it was for the third time, it was evident that the British Government strongly desired the renewal of the convention—the United States desired it not less. In the early part of last month, by information transmitted to me, more of our vessels were in the port of Liverpool, than those of any foreign power or even English vessels, coasters excepted. The latter fact surprised me. It may be taken as an indication that in the trade between the two countries, the United States are likely to have their equal share as carriers, as long as the charges upon the vessels of each continue equal. This is all that the United States ask ; it is the offer

\* Rush’s Residence at the Court of London, p. 80.

they make to all nations.—They hold it out in a permanent statute as the basis of their code of navigation.”

The authors to whom I have already referred, have furnished such ample and elaborate details of the statistics of the Canadas and New Brunswick, that I shall not enter particularly into them. The following comparative statement of the trade of Nova Scotia, for 1831 and 1832, supplied to me from an official source, is, however, worthy of being inserted here.

**IMPORTS**  
for the year 1832.

**Ships. Tons. Men. Value.**

**From Great**

Britain .. 110 27454 2317 £577,285

Jersey .. 3 379

Bourdeaux 2 254

Memel .. 4 992

Terceira .. 1 113

Fayal .... 1 74

Canton .. 1 594

Oporto .. 1 160

Gibraltar .. 7 834

Smyrna .. 2 251

Havannah 1 150

Brazils .. 9 482

**Brazil Bank**

Whalers .. 3 901

Rio de Janeiro 1 151

St. Petersburg 1 227

Mauritius .. 1 187

Coastwise .. 1046 63945

Brit.W.Ind. 289 27023

**U. S. Brit.**

Ships .... 379 31443

**Ditto Foreign**

Ships .... 77 7821

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1933 163535 9985 £1,454,983

**IMPORTS**  
for the year 1831.

**Ships. Tons. Men. Value.**

**From Great**

Britain .. 95 27363 1288 £568,605

Bourdeaux 3 549

Hamburg 1 151

Memel .. 2 625

Jersey .. 1 72

Gibraltar .. 3 304

Coastwise 997 95638

**St. Pierre &**

Miquelon 1 35

Brit.W.Ind. 276 27843

Brazils .. 8 1057

Canton .. 1 586

**United States**

Brit. Ships 89 8688

**Do. Foreign**

Ships .. 93 10060

Terceira .. 1 113

Mauritius 2 302

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1573 173392 7341 £1,447,643

EXPORTS  
for the year 1832.

|                    | Ships. | Tons. | Men. | Value.   |
|--------------------|--------|-------|------|----------|
| To Great Britain.. | 104    | 25429 | 1174 | £159,485 |
| Cadiz ..           | 1      | 90    |      |          |
| Terceira ..        | 1      | 113   |      |          |
| Teneriffe          | 1      | 82    |      |          |
| Azores ..          | 2      | 155   |      |          |
| Leghorn ..         | 1      | 112   |      |          |
| Mediterranean      | 2      | 242   |      |          |
| Africa ..          | 1      | 93    |      |          |
| Malaga ..          | 2      | 266   |      |          |
| Havannah           | 2      | 191   |      |          |
| United States      |        |       |      |          |
| Brit. Ships        | 398    | 31666 |      |          |
| Do. Foreign        |        |       |      |          |
| Ships ....         | 75     | 9547  |      |          |
| Brazils and        |        |       |      |          |
| Pacific Ocean      | 10     | 1584  |      |          |
| British West       |        |       |      |          |
| Indies ....        | 292    | 27430 |      |          |
| Coastwise ..       | 1104   | 69166 |      |          |

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1996 196,168 9169 £914,841

EXPORTS  
for the year 1831.

|                     | Ships. | Tons.  | Men. | Value.   |
|---------------------|--------|--------|------|----------|
| To Great Britain .. | 72     | 19184  | 963  | £127,366 |
| Gibraltar ..        | 2      | 241    |      |          |
| Leghorn ..          | 1      | 64     |      |          |
| Sicily ....         | 1      | 112    |      |          |
| Brazils ....        | 11     | 1685   |      |          |
| Cape of Good        |        |        |      |          |
| Hope ..             | 1      | 121    |      |          |
| South Seas          | 1      | 402    |      |          |
| Coastwise ..        | 1161   | 114686 |      |          |
| Brit. W. Ind.       | 296    | 30577  |      |          |
| United States       |        |        |      |          |
| Brit. Ships         | 107    | 9979   |      |          |
| Do. Foreign         |        |        |      |          |
| Ships ....          | 86     | 9778   |      |          |
| St. Pierre &        |        |        |      |          |
| Miquelon..          | 1      | 35     |      |          |
| Mauritius..         | 1      | 187    |      |          |
| Madeira ..          | 1      | 64     |      |          |
| Saint Croix         | 1      | 111    |      |          |

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\*1743 187,226 8445 £827,400

\* Nothing has astonished me more, during my sojourn in England, then to find the gross and unpardonable ignorance which prevails here relative to the actual condition of Nova Scotia. A gentleman of some mercantile reputation in London asked me if it were situated near Sydney, in New South Wales,—another person, if we had any soil fit for the production of grain,—and a third, on being informed that I came from Nova Scotia, regarded me with an air of sovereign pity, as if to say, that he sympathized with the unlucky fortune that had cast my lot in so wretched a country. I confess that I esteemed his sympathy as pre-eminently superlative; and calculated rather to enkindle indignation, than excite gratitude. The *statistics* I have given, already show the extent and value of its trade. Our merchants,—a body of as active, intelligent and enterprising men as are, I believe, in the circle of the kingdom, have relations established, as it will be seen, with all the principal trading ports in the world. They have correspondents in, and make shipments to, and receive con-

*Fisheries of Nova Scotia for 1832.*

570 ships, 640 boats.

|           |       |         |          |
|-----------|-------|---------|----------|
| Fish, dry | ..... | 170,455 | quintals |
| Pickled   | ..... | 57,488  | bbls.    |
| Oil       | ..... | 111     | jars     |
|           |       | 75      | kits     |

The whole returns of oil are not included.

I solicit your attention to the following table, illus-

signments from the West Indies, South America, the Mauritius, the Western and Canary Islands, Spain, Portugal, the ports of the Mediterranean (our vessels have sailed both in the Pacific, Adriatic and the Black Sea), France, the Baltic, and the Islands of Guernsey and Jersey. Some of the first houses in the two latter have large fishing establishments in the Island of Cape Breton. The intercolonial trade is prosecuted also with much activity. Of the value and extent of these fisheries, I have furnished ample materials. The climate is infinitely superior to the general conception entertained of it. A belief prevails that it is chilling, bleak, and bitterly cold, subject to epidemics, and equally unfavourable to health as to comfort. Against such opinion I raise my solemn protest. Along the line of coast washed by the Atlantic, the atmosphere is humid, from being exposed to the invasion of those dense masses of fog which impend over the banks of Newfoundland, and which when the wind blows from the south or south east, come upon our shores like a "serried host." But there are many districts of the province, where these fogs are unknown, and where the climate is superior, and fitted for the cultivation of finer classes of plants, than can be raised in Scotland or the North of England, if they can be produced with equal facility even in the south. Indian corn, as a part of our field rotations, is not or cannot be cultivated in the United Kingdom, and Mr. Arthur Young has said, in his *Travels in France*, that he considered any district which could produce maize, as possessing superior resources of agricultural wealth. According to his map of France, it marks one of the zones, and requires a finer climate, than the vine. We have three or four millions of acres of as rich and productive a soil as any

trative of the importance and value of the Fish Trade in Newfoundland.

agriculturist could desire ; and I do not exaggerate in stating that in Nova Scotia there is 70,000 or 80,000 acres of alluvion reclaimed from the sea, and this, too, from the character of the neighbouring uplands, of as appreciable quality as any which exists in the limits of England. Many new tracts are now in the progress of formation. The crops of wheat, oats, barley, Indian corn, and potatoes, produced in the Province,\* are excellent and abundant. The vine flourishes in a southern exposure in our western counties. We raise apples, pears, plums, cherries, and I have picked peaches from the trees growing in the orchards at Horton. We have abundance of all the common esculents, and although the markets in Halifax cannot compete in quality and variety, with that of St. John in Liverpool, those of Leeds and Nottingham, or the great metropolitan ones of Covent Garden and Hungerford, yet it affords at all times an ample supply of poultry, beef, pork, vegetables, and fruits, with which even an epicure could have no just reason of complaint.

The fish market at Halifax is one of the best in the world. The prices are less than the same articles would command in London, or in any part of England, where I have been able to institute a comparison. So far from the climate being unhealthy, there is not an epidemic known to it. The winters are cold, but they are dry and invigorating ; and if the appearance of a people be any test of the salubrity of climate, those of Nova Scotia, in their health, vigour, and complexion, would furnish irrefragable testimony in its favour. Of all the Colonies in that hemisphere there is none which possesses so boundless a store of mineral wealth, as this unhappy country, which Cobbett has laboured so diligently to revile, and Guthrie and the whole family of geographers, have depicted as a region of barrenness. Its coal beds have been now traced from the extreme eastern end of Cape Breton to its point of union with the adjoining Colony of New Brunswick, and independent of the local and intercolonial supply, 400 vessels have been employed and upwards of 80,000 tons of coals

\* Upon the climate, soil, and agricultural capabilities of Nova Scotia and the sister Provinces, as contrasted with those of England, see letters of Agricola, written by J. Young Esq., and published at Halifax, N. S.



*Return of Fish caught and exported from the Island of Newfoundland.*

|            | 1805.   | 1806.   | 1808.   | 1810.   | 1812.   | 1814.   | 1816.     |
|------------|---------|---------|---------|---------|---------|---------|-----------|
| Fish cured | 706,314 | no ret. | 478,735 | 731,066 | 709,163 | 865,132 | 819,200   |
| Exported.. | 625,519 | 772,809 | 576,132 | 884,470 | 711,059 | 947,811 | 1,046,626 |
| Salmon ..  | 1,916   | 2,040   | 3,272   | 5,747   | 3,831   | 3,425   | 2,499     |

EXPORTED.

|               | 1820    | 1824    | 1826                      |
|---------------|---------|---------|---------------------------|
| Fish exported | 899,729 | 996,976 | 928,442 quintals or cwts. |
| Oils .....    | 8,224   | 8,439   | 7,619 tons.               |
| Salmon ....   | 1,726   | 2,456   | 5,554 bbls.               |

transported to the United States, during last season. Although so little known or appreciated by the scientific men of Britain, the American geologists have thought it of sufficient consequence to explore its strata, and publish an elaborate description of them. Its resources in coal are in fact inexhaustible. It possesses, besides, iron, copper, and lead; lime and gypsum are found in every county. The transportation of the latter to meet the demand of the Southern States, it being used there as a manure to the wheat crop, like bone dust to turnips here, gives employment to some thousand tons of coasting vessels. It has also superior freestone and slate. The first is worked to some extent, and it is anticipated that the latter will soon form an important article of export.

In addition, the province has now reached a very high degree of moral and intellectual advancement. The legislature support, at the cost of some £4,000 annually, an effective system of national education, and two collegiate institutions, in which the classics and the sciences are taught. A third, called the Dalhousie College, founded in Halifax by the Earl of Dalhousie, during his paternal and most patriotic administration of the Government, will, I hope, soon go into operation. All strangers bear honourable testimony to the ease, fashion, and polish of Halifax Society. Being the capital of the province, the seat of the local government, a garrison town, and the naval depot, many strangers and officers, trained in the first circles of Europe freely mingle among ours, and necessarily give a

Return of shipping employed in the trade of Newfoundland—

|      | IMPORTS. |         |      | EXPORTS. |         |       |
|------|----------|---------|------|----------|---------|-------|
|      | Ships.   | Tons.   | Men. | Ships.   | Tons.   | Men.  |
| 1815 | 930      | 126,562 | 7163 | 880      | 122,653 | 6920  |
| 1816 | 763      | 101,675 | 5769 | 788      | 103,633 | 5981  |
| 1817 | 716      | 93,803  | 5394 | 735      | 93,570  | 5422  |
| 1818 | 560      | 70,963  | 4012 | 465      | 61,768  | 3382  |
| 1820 | 638      | 87,114  | 5005 | 719      | 82,360  | 4792  |
| 1822 | 742      | 79,114  | 4595 | 747      | 81,085  | 4597  |
| 1824 | 806      | 92,953  | 5357 | 782      | 90,386  | 5,256 |
| 1826 | 666      | 72,988  | 4295 | 579      | 62,548  | 3,656 |
| 1832 | 858      | 92,344  | 5347 | 809      | 86,304  | 5,002 |

These tables illustrate most clearly an argument I before referred to—the pernicious influence of foreign competition upon this branch of the Colonial trade. In 1808

tone and refinement to the general manners. Mr. M<sup>c</sup>Gregor, in his work upon “British North America,” has pronounced upon it a high eulogy; and if I can judge from having mingled in the same circles in the other Colonies, in the United States, the West Indies, and now in Great Britain, I should say that that praise was not undeserved. A Halifax ball-room will exhibit as imposing a display of native beauty, and be as distinguished for the observance of all the courtesies—*les agrements de la societé*—as among the same classes in England. Among the army and the navy it is ranked, I am aware, as the first station out of England. The bar and the house of assembly are equally reputed for a superior order of talent, and for some speakers of ready and commanding eloquence. The Hon. Major Fane, and the Hon. Colonel Fox, the latter now a Member of the House of Commons,—and I know they will pardon me for introducing their names, that I may record their testimony in favour of a Colony, where both have left many friends,—have said that they have heard debates in our local assembly, in which the power of argument and vigour of language would have attracted notice even in Parliament—the noblest field for English oratory.

The people of Nova Scotia are even fond of tracing out a flattering analogy, between the situation and resources of their Province, and that of England in the old world. Their climate, soil, and minerals

the quantity of fish caught was 478,735 quintals—in 1814, it had risen to 865,132 quintals—in 1816, after the peace, and when the French and Americans began to exercise the rights of fishing granted to them, it fell to 819,200. At the present moment it has decended to 629,151 quintals, and this too, while the population has doubled in number. This result cannot be ascribed to any want of means, for many of the houses in Newfoundland are con-

nurture the hope of their being, at some future time, the subjects of a great agricultural and manufacturing state. The free temper and energetic genius of their character are the best guarantees for the perpetuity of their freedom. The growing taste for literature and the cultivation of science will improve and mature the general taste. Their insular situation, their fisheries, their foreign commerce, their line of coast indented with noble harbours, will give them distinction and ascendancy as a naval power; and it is no extravagant supposition, that, when the confederate union of the States has broken down into the separate kingdoms, which conflicting interests will necessarily create, and to which I believe they are now rapidly advancing, if not stayed by the abandonment of these Colonies, Nova Scotia, aided by the sister provinces of Prince Edward's Island, and New Brunswick,\* may assume in that hemisphere the same commanding position, in adjusting the "balance of power," as England occupies among the continental nations. Prophecy, it is said, often achieves the consummation it predicts. This belief, if strongly impressed upon the hearts of Nova Scotians, will lend a quickening and auspicious influence to the development of its resources and the expansion of the national intelligence. If a delusion, it is at least a pleasing one. It is justified by the analogy I have traced—for, notwithstanding the new school of abstract, political, and social principles, I know of no sounder guide in looking into the probable events of the *future*, than to be instructed by the results of the *past*.

\* It may give some idea of the commercial resources of that fine province when I state that a branch of one of the first commercial establishments in that hemisphere loaded last year (1833) at Miraimichi, 101 ships, and 39 schooners.

nected with merchants in England of large surplus capital, who would be glad to embark it in that trade, if a profitable return could be secured, by the demand of foreign countries being made to meet the affluent channels of Colonial supply.

Total value of imports in 1832, £763,625, exported £709,589; of these Great Britain supplied £456,987, and received £350,335.

I extract from the blue books the estimated value of the fisheries of this Island for 1832.

*Fisheries for Newfoundland in 1832.*

|              |                        |                |
|--------------|------------------------|----------------|
|              | 427 ships.             |                |
|              | 4236 boats.            |                |
| Codfish      | 629,151 quintals ..... | £331,817       |
| Salmon       | 2,763 barrels .....    | 6,507          |
| Herrings     | 3,305 do. ....         | 2,343          |
| Mackarel     | 916 do. ....           | 249            |
| Caplins, &c. | 1534 do. ....          | 478            |
| *Seals       | 469,075 .....          | 117,268        |
|              |                        | <hr/> £458,662 |

Independent of the domestic consumption, of which I have no means of judging, but which has been estimated, by a former writer on the subject, at £350,000, the

\* This is a new and important branch of the Colonial Fisheries, which is rapidly extending. By an account contained in Porter's Tables, vol. ii, p. 69, it is stated, that in the year ending 30th June, 1832, in Newfoundland, it had given employment to 407 vessels, 27,421 tons, and 8,649 men. The fishermen of the United States prosecute this fishery with great activity on the coast of Chili and on the New Continent in the Antarctic seas. See Captain Hall's Travels in South America for a lively description of the trade. It is prosecuted, also, with great activity at Kangaroo Island, on the Coast of South Australia.

following is the amount of the products of the fisheries exported from these Colonies in 1832.

*Value of Fisheries for 1832.*

|  | Ships.    | Boats. |            |
|--|-----------|--------|------------|
| Newfoundland   | 427       | 4256   | £458,662   |
| P. E. Island   | 18        |        | 789        |
| N. Brunswick   | no return |        |            |
| Nova Scotia  | 570       | 640    | 173,000    |
| Lower Canada   |           |        | 33,388     |
|  |           |        | <hr/>      |
|  |           |        | £665,839   |
| Supposed annual amount of domestic consumption             |           |        | <hr/>      |
|  |           |        | 350,000    |
| Total value of British fisheries in North America, in 1832 |           |        | <hr/>      |
|  |           |        | £1,015,839 |

These are the data, Sir, which induce me so earnestly to press upon your attention the value and importance of this source of British wealth and Naval power.\*

I might add much upon the agricultural resources of these fine Colonies, upon the advancement they had already reached, of their capability of supplying, not only the West Indies, but even of rendering the Mother Country independent of foreign supply; of the soils they possess for the raising of hemp, flax, clover seed, rape; and the value of their present manufactures of pot and pearl ashes,—but these have been already very fully illustrated in works upon the Colonies, and also in the “Appendix to a Memorial” presented to the Board of

\* The total number of persons employed in the British herring and cod and ling fishery, in 1832, was 80,566; in Newfoundland alone, in the same year, there was employed in the fisheries, 33,405.  
—*Porter's Tables*, p. 79.

Trade, as explanatory of the impolicy of opening the West Indies to ships of the United States. To the information contained in these, I can only add that their agriculture is rapidly advancing, and with the acceleration it is likely to receive from the land companies now in operation, I fully believe that the promises contained in that memorial have since been, and will continue to be most auspiciously fulfilled.

I close this review by soliciting your attention to the progression of these Colonies, contrasted with that of the Mother Country and the United States. I have ventured, in another place, to say, that I believe their strides to have no parallel in the history of mankind, and I trust the following comparisons justify the assertion :—

*Number and Tonnage of Vessels from the Colonies to the United Kingdom.*

IMPORTS.

|                                  | 1806.  |        | 1825.  |         | 1832.  |         |
|----------------------------------|--------|--------|--------|---------|--------|---------|
|                                  | Ships. | Tons.  | Ships. | Tons.   | Ships. | Tons.   |
| Lower Canada }<br>Upper Canada } | 80     | 21095  | 732    | 203,886 | 755    | 229,718 |
| New Brunswick                    | 23     | 6818   | 842    | 235,097 | 557    | 162,671 |
| Nova Scotia                      | 57     | 12200  | 109    | 25,570  | 110    | 27,454  |
| Cape Breton                      |        |        | 15     | 3,201   | 11     | 3,158   |
| P. E. Island                     |        |        | 32     | 6,897   | 19     | 3,880   |
| Newfoundland                     | 147    | 16,069 | 126    | 14,447  | 245    | 34,322  |
| Total..                          | 307    | 56,182 | 1856   | 489,098 | 1697   | 461,203 |

I take these three periods that I may exhibit the arguments in all its aspects. It may be remarked, that in 1825, the Colonial trade was impelled by the same injudicious spirit of speculation which affected the trade of the United Kingdom, and which led, at the time, to so fearful a reverse.

Upon this subject I might furnish some curious details.

Nova Scotia yielded to that hallucination less than any of the other provinces, and hence the diminution does not appear in her returns.

*Shipping from Great Britain to the Colonies.*

EXPORTS.

|                   |     | 1806.     |              | 1825.       |               | 1832.         |
|-------------------|-----|-----------|--------------|-------------|---------------|---------------|
| Canadas . . . . . | 97  | 22,532    | 662          | 178,785     | 860           | 249,134       |
| N. Brunswick . .  | 20  | 5637      | 705          | 210,071     | 647           | 188,797       |
| Nova Scotia . .   | 70  | 15,471    | 101          | 24,092      | 104           | 25,429        |
| Cape Breton . .   | 1   | 366       | 15           | 3,266       | 3             | 753           |
| P. E. Island . .  | 6   | 1572      | 16           | 3,351       | 20            | 3,793         |
| Newfoundland . .  | 276 | 35,894    | 316          | 43,390      | 150           | 18,210        |
|                   |     | <hr/> 470 | <hr/> 81,472 | <hr/> 1,815 | <hr/> 462,955 | <hr/> 1,784   |
|                   |     |           |              |             | <hr/> 1,784   | <hr/> 486,185 |

Comparing the returns for 1806, and 1832, it appears, that the entries inwards have increased no less than 550 per cent. in the number of vessels, and nearly 400 per cent. in the entries outwards.

*Amount of Shipping entering and clearing from the Ports of Great Britain to all Parts of the World except Ireland.*

| 1806. Inwards. |         | Outwards. |        |
|----------------|---------|-----------|--------|
| Ships.         | Tons.   | Ships.    | Tons.  |
| 5,203          | 904,215 | 5,307     | 89,997 |

From the returns at this period it is impossible to distinguish the foreign from British shipping. Taking the periods since this distinction obtained, it will show that the increase of the Colonial trade far outruns that of the relative increase of the trade of the United Kingdom.

BRITISH VESSELS.

|       | Inwards. |           | Outwards. |           |
|-------|----------|-----------|-----------|-----------|
|       | Ships.   | Tons.     | Ships.    | Tons.     |
| 1814  | 8,503    | 1,232,772 | 7,935     | 1,160,684 |
| *1825 | 12,807   | 2,027,469 | 10,403    | 1,711,169 |
| 1831  | 13,178   | 2,174,509 | 13,748    | 2,236,446 |
| †1832 | 13,372   | 2,184,980 | 13,292    | 2,229,269 |

\* See Marshal's Tables, 252. Porter's Tables, 2, 51.

† See Reuss's Tables 266. Appendix to Camberlegn's Report.

The investigation of these tables furnish the most eloquent arguments, founded upon these most stubborn materials against speculative philosophy—the evidence of facts.

*Imports and Exports into and from the Colonies to Great Britain.*

|      | Imports.   | Brit. produce<br>& manufacture. | Exports. | Total.    |
|------|------------|---------------------------------|----------|-----------|
| 1806 | *£385,812  | £775,642                        | £200,416 | £976,058  |
| 1825 | 1,312,911  | 1,829,211                       | 387,014  | 2,246,223 |
| 1832 | †1,532,582 | 2,669,799                       | 266,198  | 3,033,997 |

The increase of population in these Dependencies, compared with that of England and America, is no less illustrative of their rapid advance.

| POPULATION. |             |       |                |      |                               |
|-------------|-------------|-------|----------------|------|-------------------------------|
|             | Eng.&Wales. |       | United States. |      | British North<br>A. Colonies. |
| 1800        | ‡9,168,000  | §1800 | 5,309,758      | 1806 | 409,462                       |
| 1811        | 10,502,500  | 1810  | 7,239,903      | 1825 | 873,453                       |
| 1821        | 12,219,200  | 1820  | 9,638,166      |      |                               |
|             |             | 1830  | 12,856,171     | 1832 | 1,300,000                     |

To these facts I might add many others illustrative of the argument I am pursuing. I have already given you a faithful sketch of what Nova Scotia is. I trust you will give credence to my representations of its climate, rather than trust to the impressions you may have derived from a stay in Halifax of a few days, during the prevalence of one of our south-east fogs. I have been in many parts of the lower provinces, am familiar with their resources, know their present condition, and the energies of their popula-

\* Blue Book.

† Mr. Irving's return to Parliament.

‡ Marshall's Digest, 22.

§ Reuss's Tables, 260.

|| Blue Book last census.



tion ; and I have no hesitation in recording the opinion I entertain, that there are no countries in the world more rapidly developing their natural advantages, or ascending with more vigorous steps in the scale of intellectual improvement. Their political destinies are in the hands of the British people ; and to you, as their official organ, belongs the high vocation of controuling them.

In closing these letters upon statistics, I know not if I can revive and enforce their impressions better, than by calling your attention to some interesting passages in Mr. Scrope's late work upon Political Economy, under the head of " Colonization a Cure for Economical Evils." He endeavours to point out that it is the natural tendency of an old country, like England, to multiply more rapidly the products of its manufacturing, than, in the nature of circumstances it can do, that of its agricultural industry, " there is an abundance," says he,—" nay, there is an acknowledged superabundance of cottons and cloths, and cutlery, and house furniture, in the country ; but there is a sensible want of good wheaten bread, and cheese, and bacon, and fresh meat. The prices of the former objects have fallen, in some cases, to one-fourth, in others to one-tenth of what they were half a century ago ; while the prices of the principal articles of subsistence—of *food*—in short, have risen very considerably, during the same period." As a remedy for these evils, which of course must, in the progress of society, unless the territory be extended, or the productive powers of the soil be improved, rather increase than diminish, he recommends an extension of the national capital and labour to the cultivation of the lands in the Colonies. In treating of the advantages which would result from

this policy, he continues ; “ The same beneficial consequences which would flow from these hypothetical circumstances, were they really to take place, must follow from the cultivation of the rich soils that are separated from Britain by the Atlantic, and fully to the same extent as if these soils, *were* attached to our coast, but for the single circumstance of the cost of conveying their raw produce, and the British manufactures, we should exchange for them, across the intervening ocean. This cost, however, is to be calculated to a nicety, and will be found a mere trifle in comparison of the enormous sacrifices of capital and labour that we are daily making, for want of such a field for their profitable investment. *This cost, moreover, is diminishing daily.* We may shortly expect to see the Atlantic practically reduced to one-third of its width by steam-navigation. The cost of conveying flour from Quebec to Liverpool, or Manchester, is, even now, scarcely more than that of its land carriage a century back, for a distance of fifty miles. By further improvements in communication, (which are, perhaps, advancing with greater rapidity than any others,) we may reasonably expect our North American Colonies to be every year approaching still nearer to our great manufacturing districts, and the intercourse between them to be attended with no greater difficulty or expense, perhaps even with less, than that which could take place between Lancashire and any tract of land we might suppose to be added by a miracle to the Norfolk or Essex coast. Let but our redundant capital and labour take that direction, and let the intercourse be as free between Lancashire and Canada, as it would

“be between Lancashire and Essex, and the double  
“object will be answered of increasing our supplies  
“of food at home (now unquestionably deficient, as  
“compared with commodities of secondary importance),  
“and of opening new avenues for the profitable em-  
“ployment of our surplus labour and capital in *agri-*  
“*culture, manufactures*, and, let us add, *commerce* like-  
“wise—since our own merchants, shipping, and sea-  
“men, would be exclusively engaged in this trade.”

He then proceeds to point out the *additional superio-*  
*rity* “of the trade with a Colony over that with an  
“independent State. Were corn to be freely imported  
“from Poland, or the United States, in exchange for  
“our manufactures, we not only, as has been urged,  
“become *dependent, in some degree, for the first necessa-*  
“*ries of life, on the will of the Governments of those coun-*  
“*tries*, who may at any time interfere with our supply,  
“but we become dependent, also, for that supply upon  
“the rate at which capital, population, and the agri-  
“cultural art may happen to advance among the in-  
“habitants—rates which we can do nothing to acce-  
“lerate. If the advance of their productive capacities  
“do not keep pace with our own, we carry on what  
“may be called a losing trade with them,—we are  
“continually exchanging larger quantities of the pro-  
“duce of our industry for less quantities of theirs.  
“Moreover, though our manufacturers may be benefited  
“by such a trade, our agriculturists would not profit  
“from it in any degree, but would rather be falling  
“back than advancing in their circumstances. The  
“system of supply *by colonization*, on the contrary,  
“offers a direct enlargement of the means for employ-  
“ing our agricultural as well as manufacturing popu-

“ lation, the skill and capital of our farmers, as well as  
“ of our artisans and manufacturers; and thus gives  
“ a double stimulus to the national industry; at the  
“ same time, that, instead of causing us to depend  
“ for our increased supply of food, and other agricul-  
“ tural produce, on the slow increase of the productive  
“ capacities of foreigners, and on their arbitrary com-  
“ mercial regulations, we at once employ our own  
“ capital and our own people, with all their known  
“ and tried resources of skill, genius, enterprise, and  
“ perseverance, in its provision—while we ourselves  
“ regulate the terms of its admission.”

“ If,” he concludes, “ we will only consider a fertile  
“ and favourably situated Colony, like the Canadas,  
“ and their sister provinces, for example, in the light  
“ of an addition to the territorial extent of Great  
“ Britain, which is, in truth, its virtual character, we  
“ must recognize at once its prodigious value as a field  
“ for the utilization of British labour and capital, and  
“ a market for British manufactures.”

The advantages they thus present, have already, in fact, begun to be enjoyed. Land and Mining Companies, organized in London, have, at the present moment, embarked at least two millions of capital in those dependencies; and the auspices offered are so flattering, that they will probably attract other competitors to the field. The “ Colonial Policy” will thus become allied with the direct and palpable interests of the British people, and tend to weave more widely those bands of national brotherhood, which the Colonists are so anxious to have encircled around them.

## LETTER IX.

*Appeal to the Chivalry of the Nation—The New World must exercise a vast influence upon the destinies of the Old—America hostile to British Liberty—These Colonies essential to overawe and control the United States—Necessary as affording a Station to prepare an Armament, and to refit our Navy stationed in the West Indies—Essential to British Independence—America not to be dreaded as a Military Power—Her Strength only in her Navy.*

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“We must never forget, that the ‘cheap defence of Nations’ is not to be balanced like a merchant’s account—so many pounds debtor, and so many pounds creditor. We must look deeper into our transactions, and not think alone of what we spend, but of what we keep. And who is bold enough to say, that if, for the sake of a comparatively trivial saving of money, we relinquish these noble Colonies, we shall not essentially weaken the foundations of the wooden wall, which is proverbially the safeguard of our island.”—*Hall’s Travels*, vol. i, chap. xiv.

“Our American plantations, by the vast increase of their people, and of the commodities raised by them for our use, for our manufactures, and re-exportation, and more especially by the perpetually increasing demands for our manufactures, products, &c. in such immense quantities, do undoubtedly at present more than ever demand of us the first and highest regard, preferably to any other commercial connection whatsoever; more especially if we do but consider, that by the additional wealth, power, territory, and influence, thereby now thrown into our scale, we are enabled to preserve our dearest independence with regard to the other powers of Europe.”—*Anderson’s Intro.*, p. 7.

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ABANDONING for a time this severe argument of interest and utility, let me now, Sir, inquire,—if there be no other wise and honourable motive for the Mother Country to uphold her Colonial system. It will not be found sound, I apprehend, even in domestic life, to go-

vern our conduct, upon all occasions, by an arithmetical calculation, founded upon the selfish principle of the *quid pro quo*. As in the management of families, so in the government of a great nation like this, other and nobler motives should sway the Cabinet than the nice balancing of a debtor and creditor account. If, indeed, the grand object of existence is to make money, then the principle of calculation ought to be imperative and universal. But the subjects of no nation, as a mass, act upon it. There is a class, and a large class too, in England, who devote a portion of their abundant means to the cultivation of the mere elegancies and embellishments of life. Is the Government—the united voice and superintending head of a great, intelligent, and prosperous people—to regulate the national policy by a sordid economy, rarely practised in private life, and which the wealthier classes disown as a rule of conduct? If it be the essence, the essential spirit of a free government, to represent the sentiments of the *whole* people, surely then this narrow and contracted policy cannot be imperative upon ours. In the conduct of the Cabinet, as in that of the nobility and upper classes, there ought to be some approaches to generosity, some attention paid to the preservation of those ancient and matured principles of liberty, enshrined in our constitution, and which are of too refined a nature to be secured by the abandonment of all the charities and all the sympathies of life.

It would perhaps be idle to pursue the argument at greater length. It is one, I think, of just philosophy, and will be readily acknowledged by every man accustomed to investigate the moral elements of our nature, and the sources of our happiness. It is to these feelings,—the chivalry, if I may so speak, of the nation, that I now

address myself;—not that I abandon in one tittle the argument I have insisted upon: that, even in the balance of figures, the North American Colonies contribute to the national wealth in a ratio which counterbalances the expenditure they occasion\*.

It is obvious, however, that the New World, from its growing importance, must exercise a powerful influence upon the political destinies of the Old. The history of the last fifty years has shown its moral, as well as direct influence, both upon the tone of political feeling, and the aspect of our political relations. The spirit of the American revolution inflamed, if it did not inspire, the ardour of the French Nation in their sanguinary attack upon the Ancient "*Regime*:" the declaration of hostilities by the United States in 1812, had like to have given a new aspect to the wars upon the Continent; and in 1827, Mr. Canning, with a just perception of this influence, said, in his celebrated speech upon the Portuguese question, in a tone of eloquent triumph, that he had created a "New World to balance the Old." It will be obvious, therefore, that if the British Ministry wish to secure and perpetuate the superiority which the Nation has attained, and to transmit to future generations the "palladium of our liberty," they ought to pursue that

\* Columbus was led to the discovery of America in the hope of accumulating that gold which would enable him to fit out a crusade for the recovery of the Holy Sepulchre. The motive imparts an engaging chivalry and romance to his character, which Washington Irving has wrought out with his own peculiar and felicitous powers. He embraced the perils of distant discovery with the ultimate view of benefiting his species in the Old World; and it will form a melancholy reflection for future ages, if, by the abandonment of the Colonial system, this benevolent purpose should be marred. I trust I shall be pardoned for the allusion, which, although engaging and just, may violate perhaps the severer rules of logic.

line of policy, which will create in the New World itself a balance of influences,—a local countercheck, in short, upon the ascendancy of the United States, so as to prevent them, in the event of their union being preserved, from controlling with any dominant sway the destinies of Europe. Jealous of the national fame to a degree of sensitiveness, of which persons who have never travelled in America can form no adequate conception, and ambitious of being esteemed the first “people of the earth,” they feel, as it has been remarked by sagacious observers, the balanced principles of freedom which harmonize in our Constitution—the superiority and expanding prosperity of our trade and manufactures—the magnificent progress of our arts and sciences—to reflect back upon their institutions, and to afford those striking lights of comparison and contrast, which, to an inferior, are so utterly odious. It is this feeling, perhaps, which is the origin of that pride of character, remarked equally by Captains Hall and Hamilton—I allude to the anxiety they are said to manifest, to extract praise from every intelligent foreigner who visits their country. But this very feeling, which floats upon the surface of society, is the germ and foundation of that feeling of hostility, which has ever been manifested by the Government to the transcendent and overshadowing glory of the British name. Tamed and placid as it may sleep during the amenities of peace, it is ready to rise, with renewed though dormant strength, in the time of war; and judging from the experience of the past, it may be believed, that if the existence of our Constitution should ever again be in peril, as it was in 1812, we shall find America no sister guardian to uphold, and, by her aid, to sanctify our shrines of freedom; but ready to add herself



to the ranks of our opponents, and to lend her energies to raise our name and constitution from the modern history of free governments\*. If this prediction be of authority, where can the folly of needless concessions to these selfish Republicans find apology? With a mind predisposed to friendship, a gift will inspire or strengthen affection; but where there is hostility at the heart, glossed over with the thin colouring of a pretended regard, the gift will lend only new ardour to the existing hostility, and be regarded as the peace-offering of fear, rather than the free pledge of esteem and affection. It is a strong belief in the existence of this feeling of animosity, which induces the Colonists to regard their conceded rights with a more angry and embittered regret; because, independent altogether of their effects upon commerce, they nerve the right arm of strength, which

\* There is no person who has travelled in America, disposed to conduct himself with the courtesy which becomes a gentleman, who will not feel grateful for the many kind and hospitable attentions he will receive. He will see also much to admire, both in the country and in the people. In the better classes he will meet many who will charm him with their enthusiasm for English literature and institutions — an enthusiasm, which every one born in the New World feels, whether Republican or Colonist, who has time to visit this great and wonderful country. He may be even disposed to think, from the circle in which he is thrown, that the feeling of hostility is melting into softer and more philanthropical sympathies. But if he overlooks these partial observations, and regards the measures of the Government as an index of popular feeling, the conclusion will be forced upon him, that that long-cherished hostility is still honoured and nourished in all its asperities. There is no good man who would not desire to see our own Government and that of the United States knit by the friendly alliance, which their standing, as free nations, in the two hemispheres would recommend; but it cannot be doubted, that America, apart from her professions, has exhibited the enmity the argument compels us so often to refer to; and that if the existing relations still manifest the spirit of rivalry, she herself has done much to inspire the feeling, and must arraign her own conduct for the severe rebuke it suggests.

alone makes the United States formidable as an assailant. If, I again repeat, this prediction be justified, is it not the sound policy of Great Britain to cherish the connection between, and to retain her supremacy over, that portion of North America which she at present owns; and which is peopled by a race who feel the glory of a British lineage, who are animated by the sympathies inspired by their communion in the principles of British freedom, and who will be ready, as they have been, to shed their blood in vindicating and preserving the rights and honour of their Government, when the season of danger shall arrive ?

The local position of these dependencies will ever enable the Mother Country effectually to control and overawe the American Republic. Nova Scotia, occupying a bold and projecting point upon the coast of North America, with its line of noble harbours, some of them, like those of Halifax and Shelburne, capable of receiving the fleet of the British navy, and with an agriculture\* which not only supplies now her own inhabitants with the produce of the soil, but affords a large surplus for exportation, and which is besides rapidly improving and extending—will at all times form an admirable point of concentration for any great naval armament, should a blockade of the ports, or an invasion into the territory, of the United States, be rendered necessary. It has been already advantageously used for such purposes ; and both the fleet of Admiral Boscawen previous to the capture of Louisbourg, and the Shannon before her engagement with the Chesapeake, were refitted at Halifax, and sailed in the freshened “pomp and circumstance of war” to achieve their signal triumphs. Had they not enjoyed this ad-

\* In looking at the statistics of Nova Scotia, it will be seen that a con-

vantage, and proceeded to the *melée* with all the injuries\* and exhaustion created by an Atlantic voyage, Louisbourg might not have furnished so splendid an accession to the trophies of the Tower, nor Broke added to the ashes of the "illustrious dead," who have found, or ought to find, a mausoleum in the gothic and solemn magnificence of Westminster. The Canadas and New Brunswick are equally advantageous in presenting a line of frontier, insinuating itself from the sea coast to the very core of the Republic, to favour invasion. They in fact overhang America like a dead weight; and if their influence were removed, England might perhaps feel that her own indisputable possession of power, and the tranquillity of the world, had been in some degree dependent upon these Colonies.

siderable quantity of flour is still imported from the United States. It is true that the province cannot produce *wheat* of the same quality as the Southern states; and that the general taste of the inhabitants of Halifax, where American flour is chiefly used, is so much formed upon this superior article, that the bakers use it entirely. There is not perhaps another community in the world where all classes, both rich and poor, use to such extent the finest quality of bread. It is impossible, I believe, to purchase there a brown loaf. But this does not impugn the capability of the province to raise a sufficient quantity of bread corn for its inhabitants. I am satisfied that there is abundance of *grain* now raised to feed the population; and that if the cattle, flour, oatmeal, pork, poultry, and butter, sent from the Western Counties to St. John, New Brunswick, and from the Eastern to the Magdalen Islands, Labrador, Newfoundland, and Miramichi, and also to the West Indies, were estimated, that their united value will far exceed the amount of our imports from the United States. I trust however that a change is at hand, and that the public will from patriotic motives—to achieve in fact the emancipation of the province,—throw their consumption for the future upon *native* rather than *foreign* flour.

\* The advantage of a foreign station to refit is illustrated by the fate of the expedition against New Orleans. When the fleet sailed from Negril Bay, both the crew and soldiers were said to have been exhausted with the diseases incident to a tropical climate. If we could unfold the mysterious influences of nature, the unfortunate events of that campaign might perhaps be traced to this cause.

The possession of these dependencies has been thought by some statesmen, of no inferior talent, to be essentially connected with the safety of our Islands in the West Indies. I allude not now to the mutual benefit they confer upon each other, by extending a desirable market for their respective productions, upon which I might descant at some length were it connected with the argument. But I refer solely to the facilities they afford to the troops and ships of war, stationed in Bermuda and the West India Islands, by furnishing at all times an abundant supply of cheap and wholesome provisions. To the latter they present a convenient place to refit, and restore the energies of a crew, enervated by the diseases incident to a tropical service. It is a fact familiar to our naval commanders, that a crew cannot be kept in full vigour and action on these stations, without occasionally running into the more exciting breezes of the North. It has been the custom, for past years, founded upon this necessity, for the fleet on the West India station to resort to Halifax during the summer months.

It is a maxim as old as the most brilliant era of Roman History, that it is wise in peace to prepare for war—just as every prudent man in the season of tranquil prosperity accumulates and nurses his profits, to meet the reverses of fortune. No man in private life would admire the discretion of another, who cast the grace of his future independence upon the favour of some third party, who, if not absolutely hostile, was, at least, not bound to him by any tie of interest or affection. Before therefore the view of those theorists, who denounce the Colonial System, find favour with the people, it would be well for them to inquire, *if the Mother Country be*

*in fact independent of her Colonies\**; and whence, supposing them to be cast without the circle of British influence, she would have derived the supplies they

\* It gives me great pleasure to be enabled to extract, in favour of this argument, the advocacy of the Edinburgh Review. From an article upon the American Tariff (December, 1828), I take the following extracts from the concluding paragraph :—

“ It has been asked, what ought England to do in this emergency? The commerce of no other nation will be so much affected as ours by the proceedings of the Americans; and it is contended that we ought either to remonstrate or retaliate. We believe, however, that it will be infinitely better to do neither. *The proceedings of the Americans ought rather to excite pity than anger.*” \* \* \*

After making some further remarks in the same spirit, the Reviewer concludes :—“ At the same time, however, it is quite clear, that the less dependence we now place on the trade with America, so much the better. She cannot, indeed, inflict any material injury in refusing to *buy* our productions, but at present she might injure us by refusing to *sell*; and after what we have seen of Congress, it would excite no surprise though some attempt of that sort were made. We are not, therefore, sure that it might not be good policy to endeavour to *encourage*! the importation of cotton from India, Egypt, South America, &c., by reducing, or wholly repealing the existing duty on all cotton not imported from the United States. We would not increase the present duties on any commodity brought from America; but when she is every year making fresh efforts, by means of oppressive duties, to exclude our produce from her markets, she cannot blame us if we begin to look about us for means, and they may easily be had, of making ourselves wholly independent of any intercourse with her.” If Great Britain lose these North American Colonies, could she obtain a supply of timber from any other quarter, supposing the same spirit to influence them at some future period as prevails now in the United States, I ask, where are her means of independence? It is uncharitable, I think, to arraign the consistency of a Journal, conducted now for thirty years with such distinguished and eloquent talent. Its articles represent the views, not of one mind, but of the finest geniuses of the age. I can easily find apology for the opposite views which find admittance in different papers; and without wishing to attack the superior style of its general management, I may be allowed, I think, to state, that the author of this article would not have supported the assertion made by one of his brother Reviewers, whose position I have endeavoured to overthrow—that the Mother Country had rather gained than lost, by the erection of these States into an Independent Government.

afforded, after the promulgation and enforcement of the Berlin and Milan decrees? Suppose our ships to be again excluded from the Northern ports of Europe, to what stores could England turn, to prevent, as she did in 1806, the distress and commercial disorder which would have ensued? I have already hinted upon the vantage-ground which England occupies, in adjusting her treaties with the Continental Nations, by having the boundless forests and fields of British North America under her control. Vain it will be, to soothe the apprehension which such inquiry creates, by arguing the improbability of similar exigencies. The *past* has made the *future* a sealed volume, of which time in its progress can alone open the leaves. What genius, however prescient, could have foreseen in 1790, in all their lights and shadows, the series of wonderful events which, in their rapid development, have since convulsed and astonished the world? Who, even so late as 1827, could have had the foreknowledge to predict the changes which have occurred in our own government, or the present political aspects of the Continent? Recollect too, that Europe has been gradually but surely advancing to that crisis—that “war of opinions”—which Canning foretold; and the piles of whose watch fires are already scattered over the older dynasties. Another Buonaparte may again arise—his restless spirit is yet abroad—a treaty similar to that of Tilsit may again be formed, to concentrate the Northern powers into hostile re-action—the English flag may again be excluded from the Baltic;—and if the Colonies are lost—if goaded to hostilities, or merged in the American Union—the commerce of England may be struck with a paralysis, and her naval strength be reduced to an extent, which may compel these sophists of the day

to admit, that the mantle of inspiration and of prophecy had not fallen upon them.

But there is another view of the question to which I must claim your particular regard. It is connected, I think, with the free principles of Modern Republics, and naturally springs from the elements of their constitution, that they never can reach any commanding position as invading powers. From the jealousy which is entertained of a standing army amongst the "Sovereign People," no armed force will ever be organized, sufficient to endanger the safety or existence of a neighbouring state. In any case of perilous emergency—when the domestic altars are threatened with desecration, and the soil, consecrated in the hearts of the people as the domicile of freedom, invaded, a native militia will soon be marshalled in power to save the territory from intrusion. But if the Ruling Powers, in place of standing upon the defensive, indulge in the vain ambition of foreign conquest, they will find that the same militia, who before their own hearths formed a soldiery of lofty and chivalric purpose, when they had crossed the debateable territory, would, in every step of their progress, lose their resolution and courage. Without wider reference I apply my reasoning to the experience of the last American war. While at the North Point and New Orleans the Republicans fought, as their forefathers had done, during the Revolution, with dauntless ardour, when led to the Canadas they proved no "serried host," capable of resisting the phalanx and front of English troops, or even of withstanding the impetuous assault of the Canadian militia\*.

\* In passing over the field of Blagenburgh, with a Doctor of the American army, I was much amused with the apology he found for the

From this argument I think it fair to deduce, that America is not much to be dreaded as a military power. Her spear will never lay rest nor win the victory, in the tournament of military array\*. It is in her naval strength she is only to be dreaded, and through its agency she can alone influence the politics of Europe. The succession of naval triumphs gained by her ships during the last struggle has fanned the national pride, and bid the people regard this as a service upon which they are disposed to lavish the most ample means. The liberal expenditure which flows through this department of the state may be ascribed in part, I admit, to their oceanic situation—to the necessity of protecting their revenue along a line of extensive sea coast,—and as

want of courage displayed there by the enrolled militia. It is a subject upon which Americans feel a little *sore*, and which no stranger, with any pretensions to politeness, would touch with an air of triumph. They occupied a fine position, and were driven from it in gallant style by the British soldiers. He said to me—"They disgraced us: I do not deny it. The first militia we ever had that did not show fight. But it is not to be wondered at." I asked, why? "They were all rich men's sons, Sir. Some of them worth 20,000 dollars, no less. One of them owned half a street. They could not be expected to fight like men upon pay. Twenty thousand dollars to a shilling a day—the odds were too great. No wonder they were beat." I did not discuss with my fellow-traveller the philosophy of this apology; but it would have been no difficult task to have proved, that cowardice is not a necessary accompaniment of wealth, and that some of the finest chivalry of the English army has been displayed by men, heirs to hereditary honours and all the splendid gifts of fortune.

\* There is an essential difference between the spirit of ancient and modern Republics. In the former the mass of the people were trained to be soldiers, and found distinction amid the perils, and wealth from the spoils of war. With few notions of domestic comfort, the privations of a campaign appeared to them as no sacrifice to their country. But amongst modern nations, and especially amongst the people of America, the wider diffusion of the arts and luxuries of life—and the readiness with which they can be commanded—render the militia indisposed to the military service, and unwilling, as my companion the Yankee Doctor said, "to throw chances at so great an odds."



a guard for their foreign commerce. But the magnificence of their dock-yards and armories, their costly style of ship-building, and the naval force which is kept afloat and ready for action, may, in a main degree, be ascribed to that desire which is spread far and wide among her citizens to emulate Great Britain ; and to wrest from her that palm which has been the cost of so many naval victories, and which she has worn since Trafalgar without rival or peer, until America has cherished the bold ambition of contesting its possession.

There are many natural impediments to America, if restricted only to her own natural resources, becoming a greater naval power than she at present ranks ; and these I shall explain in my next Letter, as their illustration will develope views of commanding importance in this inquiry.

## LETTER X.

*A Trade necessary for the national Defence ought to be protected—Lord John Russell—Naval Power never permanent unless supported by a Commercial Marine—Ancient and Modern History—Fisheries the best nursery of Sailors—Comparison between the Naval Resources of the British North American Colonies and the United States—American Shore Fisheries compared to Massachusetts and Maine—Chief Justice Halliburton's work upon this subject—Feeling produced in the Colonies by the System of Attack—Consequences upon the Mother Country, if Nova Scotia, &c. were incorporated into the Union—Supply America with Fuel, and enable her with their superior Climate to prosecute the Cotton Spinning Trade—Navy Estimates may be Reduced.*

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“Whereas the Fisheries carried on by His Majesty's Subjects of Great Britain and of the British Dominions in America have been found to be the best Nurseries for able experienced Seamen, always sent to man the Royal Navy when occasion required; and it is therefore of the highest national importance to give all due encouragement to the said Fisheries, and to endeavour to secure the annual return of the Fishermen, Sailors, and others employed therein to the Ports of Great Britain, and of His Majesty's dominions before-mentioned, at the end of every fishing season: *Now in order to promote these great and important purposes, &c.*, be it enacted.”—*Preamble to Act of Parliament, 15 Geo. III, c. 31.*

“A Navy is necessary, either for the defence of a maritime country and the military operations it may carry on against other states, or for the protection of its commerce: without the provision of an extensive foreign commerce, no nation can support a powerful navy, unless it remains in a state of perpetual war, or submits to an expense which none but a Commercial Nation can sustain.”—*Lord Brougham's Colonial Policy.*

“There cannot be a question, indeed, that the commerce with Great Britain is of the utmost consequence to the Americans, and that we deal with them on infinitely more liberal terms than they deal with us.”—*Edinburgh Review, Article upon American Tariff, Dec. 1828, p. 404.*

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THERE is one additional point of view in which the subject ought to be contemplated, which involves not the interest of the Colonies alone, but the glory and safety

of the British nation. It will be freely admitted by the party whose views I oppose, as a principle of political economy, first developed by Adam Smith, and since vindicated by all his successors, that no trade ought to be propped up by a system of bounties, which will not support itself; or, in other words, amid the general competition for the employment of capital and industry, yield a fair return\*. He wisely withholds the extension of this general principle to manufactures and branches of trade, which are necessary, in the event of war, for the national safety†. I claim the benefit of the exception in the present argument. The French and American Governments recognize it. To its entertainment can only be ascribed their anxiety to secure these “*droits de pecheur*.” Their liberal system of bounties flows from the same influence. Would America continue to impose a duty of 5s. per quintal upon codfish‡, one of the necessities of life, and in the cottages of the poorer settlers the main element of food during one half of the year, a protecting duty of fifty per cent. *ad valorem*—would France persevere in continuing the lavish bounties I have before detailed for all fish caught on the shores of Newfoundland, a bounty equal to their

\* Wealth of Nations, iii, 337.

† In writing upon this subject Lord John Russell says, in his “Memoirs of the Affairs of Europe,” “The first rule on this subject is to allow a general freedom of commerce. But to this rule several exceptions are to be made. When the production or manufacture is necessary to the strength or greatness of a country, economical reasons must yield to political, and some wealth must be sacrificed for security and independence.” —Vol. i, p. 255.

‡ The following is a statement of duties imposed on the importation of fish by the last American Tariff. Fish, Foreign, caught and dry or smoked, cwt. 1 dollar—Fish ditto, Mackarel, bbl. 1 dollar and 50 cents.—Do. do. Salmon, 2 dollars.—Do. do. all other pickled do. 1 dollar.—Do. of the United States or Territories—free !—*Reuss' Tables*, 34.

value in the market of the world,—if they had not other and higher objects in view than the encouragement, apart from other motives, of these as branches of the national industry? No, Sir, they are governed by a policy vindicated by the history of nations; and which, if it be wise in them to adopt, is a species of suicide in us to favour.

If we look back to the history of nearly all past Governments, who have reached in any particular era a pre-eminent degree of naval power, it will be found, that that power has never existed, except contemporaneously with a native marine, employed either in fisheries, or in the foreign and coasting trades. It is not the possession merely of a line of sea-coast, which will create this element of national strength. It requires further that that coast should be peopled by a hardy race, employed in the pursuits of the sea. Some, unfavourable to the laws of navigation, have argued, that it would be possible to man our Navy, although “*we had not a merchant ship,*” by enlisting and training a body of sailors in harbour, as soldiers during peace are prepared for the battle-field; but such a system, however theoretically fine, would never have found favour with a person of practical experience, or who had ever seen the effects of the first swell at sea upon raw hands. If the apostles of the theory had been on board a passenger-ship from Liverpool or Greenock, “adown the channel,” and felt, or seen, the enervating effects of this disease, described with such eloquent felicity by Byron in his *Don Juan*, upon the strongest men,—the listless lassitude,—the total prostration of soul and nerve, which ensue, he would not be slow to admit, that these were not the “tars” to whom he would consign the guardianship of the national

standard, or entrust the chances of war in a second Camperdown or Trafalgar. It is a favourite idea entertained in the United States—but I answer not for its truth—to attribute the capture of the Cheasapeake\* by the Shannon to the levy of raw recruits, who were sent on board as the ship sailed out of harbour; to the unseemly incumbrance they created upon deck, when the ship moved into the swell of the Ocean. I shall not soon forget the laugh of withering scorn with which the proposition was discussed by a Lieutenant of the American Navy, whom I met in New York during my sojourn in the United States. He stated that a similar proposal had been mooted in America, to man their ships with “*hommeny*” men from the Western states; but he laughed at both as visionary and impracticable. “The trade of the sea, Sir,” said he, “is like most others. A mariner must be made, as you would a carpenter or tailor. He must serve his regular apprenticeship to the business; and if I were the commander of a seventy-four with such a crew, I would go into action with my flag down, for

\* The following passage has significant bearing upon the present argument:—“The Cheasapeake, it is true, was captured. The English captain won his prize gallantly—let no American gainsay it. We heard how the achievement was hailed in England; the more, as it had been preceded by a series of encounters terminating differently. But with whatever satisfaction received there, I cannot think that it equalled the opposite feeling in the United States. I remember (what American does not?) the first rumour of it. I remember the startling sensation. I remember, at first, the universal incredulity. I remember how the Post Offices were thronged, for successive days, with anxious thousands; how collections of citizens rode out for miles on the highways, awaiting the mail to catch something by anticipation. At last, when the certainty was known, I remember the public gloom. Funeral orations, badges of mourning, bespoke it. \* \* \* Others may augur the naval destinies of the United States from their victories; I from the feelings that followed this defeat.”—*Rush's Residence*, 426.

worsted we would be in the contest, and it would be mercy to prevent the useless waste of life and bloodshed." I believe this to be good philosophy. The more eminent writers on education have ever represented that *of home* as the most important of any. The authors of our popular songs, who reach the national feeling by addressing the common sense of the people, speak of the tars "whose home is on the deep." The position could be fortified by many striking analogies. To this branch of trade it is particularly applicable, because it is one *sui generis*. It is a training not of the body only, but of the mind; and requires a physical and agile ability, superadded to a spirit of bold and dauntless daring. There is a sublimity in a storm at sea which appals—if I may so speak,—crushes the feelings, when first witnessed. It requires time and familiarity to feel its heart-stirring excitement. I fear that these hermaphrodite recruits, after their system of land lessons—their attendance at sham-fights in gondolas, even on the lakes in St. James's Park, though superintended by the most skilful of these political tacticians—would be no match for the hardy sailor or fisherman, who, like our own proud banner, had "braved the battle and the breeze," and whose habits had been formed into a second nature, by the perils and hardships to which they had been respectively subjected.

If we look back to the ages of classic history it will be found, that when Tyre, Greece, and Rome\* respectively asserted the supremacy of the Ocean, that at the same period their commercial marines had reached a high degree

\* I feel some doubt as to this fact in the case of the Romans, at the time of the first Punic war; I am perfectly willing however to abandon the argument, so far as it is supported by the evidence of classic history; for the

of prosperity, and that when the second won the glories of Salamis, and the last conducted the Punic wars, their fleets were manned by sailors drawn from their commercial marines. Without reverting to ancient history, that of modern nations, however, furnishes ample proof of this position. After the dark ages, when Venice and Genoa grew into importance as commercial states, and their trade flourished by embracing the exchange and traffic between the eastern and western worlds, they reached also an enviable degree of political influence, and their respective fleets swept the Mediterranean and the Archipelago with undisputed rule. The naval power of Spain was at one time the most imposing and formidable in Europe. In the reign of Elizabeth she contested for a time the supremacy of the seas. The victory obtained over the Armada was regarded by that princess—so sagacious in her views of national policy—as one of the most brilliant achievements of her reign. We regard it with similar feelings at the present hour. If we contrast the commercial marine of Spain, then, with her authority as a naval power, we shall see her the mistress of the New World, and prosecuting a successful commerce, only limited by the limits of the ocean. The decay of that influence kept pace with the gradual depression and curtailment of the national trade; and, although she still occupies the same localities on the face of the Continent, possesses the same extent of sea-coast, the same soil, climate, and internal resources, her importance as a naval power, and as a commercial nation, is but as “a tale to

different construction of their galleys, their limited and timid style of navigation, and the confinement of their fleets to the inland seas of the Mediterranean, do not present that similitude of circumstances which give authority to analogy.

be told." The fleets of the States General swept the seas with fair pretensions to rivalry with our own, when they enjoyed an extensive European trade, and Colonies in the East and West Indies. Portugal teaches also the same lesson\*. Russia has reached a respectable rank among the list of naval powers. Her strength, however, is in her hordes and cossacks. The occlusion of her northern ports during six months of the year, by reason of the severity of the winter, limiting, of course, the extent of her trade, has checked the progress of her marine; and if we could open the secret motives of her state policy, we should probably discover that it was with a desire to extend this element of the national strength, that induced Catharine—a side portrait to our own Elizabeth—to push her conquests to the Crimea, and Alexander and Nicholas to display such manifest anxiety to embrace Greece and Turkey† in Europe within the circle of the empire, and have the waves of the Adriatic, the Mediterranean, and the Bosphorus laving its southern boundaries.

The same conclusion would be justified, by tracing the growth of our own‡ naval ascendancy. It was a full

\* An apology may be necessary for these trite references to general history: I claim not for them the excuse of novelty, but I could not exhibit the ulterior parts of the argument without thus briefly, and perhaps, imperfectly, setting them out. The conclusion will be far more forcibly derived from the Introductory Chapter of Robertson's History of America, Anderson's Introduction to Commerce, the article "Commerce" in the London Cyclopædia, and the very elaborate Notes of Mr. Bell, in his edition of Rollin's Sciences and Arts.

† See "Remarks upon the Conduct and probable Designs of Russia," Ridgway, 1832, and some able editorial remarks in the London Times for January.

‡ Mr. Rush indulges in some curious reflections upon the subject.—"Hitherto, at the commencement of wars, the fleets of France, of Spain,



conviction of this fact, that gave rise to the policy of Buonaparte and his minister Talleyrand, and created the significant, but now trite adage, of "ships, colonies, and commerce,"—a maxim, it will be easily believed, not entertained by the former from any enlarged love of mankind, but from its influence in increasing the naval power, and favouring his audacious ambition of universal empire.

Of all the sources of our naval power, it is admitted that none other supplies so hardy a race of sailors as our shore and bank fisheries; and although France has along her shore a succession of fine harbours, it has been contended, that the more affluent fisheries on the coast of Great Britain has been one of the main sources of her naval supremacy\*. No policy of the Government

and of Holland, if not a match for those of England, could make a show of resistance. Their concerted movements were able to hold her in temporary check. Where are the navies of those powers now? or those of the Baltic? Some gone almost totally; the rest destined to be drawn from the seas on the first war with England. There is nothing singly or combined, as far as Europe is concerned, to make head against her. France is anxious to revive her navy: she builds good ships; has brave and scientific officers. So Russia. But where are the essential sources of naval power in either? *Where are their sailors trained in a commercial marine?*" p. 251.

\* I recommend to the reader a perusal of the Report of the Committee of the House of Commons on the "Channel Fisheries," laid before Parliament on the 16th of August last. The article to which I chiefly refer, is the "Interference of the French Fishermen," p. 4. It will furnish some curious views of the national policy of that Government, and shows, perhaps, that the tameness of our submission on the coasts of Newfoundland has led to a system of aggression, which is a tarnish to the British name to have suffered. After detailing the grievances to which the British fishermen are subjected, the Report proceeds: "Your Committee also think it right to observe, that great attention on the part of the French Government appears to be paid to the encouragement and extension of their Channel Fisheries, particularly as a nursery for their seamen."

could be more disastrous, than the rights granted to the Americans and French upon our grounds. Although the former possess so extensive a line of coast, their shore fisheries are of little value. Their harbours too, especially to the south of New York, lie deep in the continent, and are of difficult access. While Britain has a nursery of seamen round and round the United Kingdom—as fruitful at the Land's End as at the Orkneys—that of America is confined to the shores of Maine and Massachusetts—the whole of their territories to the south, both from the absence of fishing grounds, and the influence of climate, afford no opportunity for the prosecution of the fisheries. And it has been already shown, that the population of these two states is now overcrowded\*,—that their shore fisheries are prosecuted to the utmost possible extent,—that their natural resources have been brought into full action; and that from this source America cannot derive any enlarged elements of naval strength to employ for future aggression or aggrandizement.

Some of the views contained in this Letter have been far more ably brought under the notice of your predecessors, in a book, entitled “Observations upon the Importance of the British North American Colonies,” written by the Hon. Chief Justice Halliburton, of Nova Scotia, equally eminent in that hemisphere for his practical judgment as a politician, and his intelligence and uprightness as a judge. From his book I take the following extracts :

“It must be admitted, that a country so situated (as “America) may become very powerful upon the ocean;

\* See page 71.

“and it is highly probable that the navy of the United  
 “States will very soon be a valuable addition to the  
 “fleets of any of the European powers in future wars.  
 “But let it be recollected, that France and Spain pos-  
 “sess all the advantages which have been enumerated,  
 “and yet their united naval force has ever been unequal  
 “to overpower that of Great Britain. And to what is  
 “it owing, that thirty millions of Frenchmen, aided by  
 “ten millions of Spaniards, are unable to equip and man  
 “fleets sufficiently powerful to destroy the navy of an  
 “island which does not possess half that population?—  
 “principally to this: that the inhabitants of the inland  
 “parts of France and Spain, which form so large a por-  
 “tion of their population, reside in a country which  
 “affords them the means of subsistence without obliging  
 “them to seek it abroad, and they are therefore indis-  
 “posed to encounter the hardship of a seaman’s life;  
 “whereas Great Britain is everywhere surrounded by  
 “the ocean; the most inland parts of the island are not  
 “very distant from the sea; and as the productions of  
 “the soil would not support a very numerous population,  
 “a large proportion of its people are compelled to seek  
 “their subsistence by engaging in the fisheries, or in  
 “the coasting and foreign trade; and it is from this  
 “hardy and enterprising portion of her subjects, that  
 “Great Britain derives the means of establishing and  
 “maintaining her superiority upon the ocean.

“Now it is evident, that the United States of Ame-  
 “rica, even now, resemble the countries of France and  
 “Spain, in this particular, more than Great Britain; and  
 “as their people recede from the ocean, and plant them-  
 “selves in the valleys beyond the Alleghany Mountains,  
 “the resemblance will still be greater: by far the greater  
 “part of the inhabitants of those distant regions will live

“and die without ever having placed their feet upon the  
“deck of a ship, and will, consequently, add nothing to  
“the maritime population of the country; the rich pro-  
“ductions of their fertile valleys will find their way to  
“New Orleans, and there provide abundant means of  
“carrying on foreign trade; but the carriers of these  
“productions to the foreign market will either be fo-  
“reigners, or natives of the Atlantic States.

“The mercantile sea-ports to the southward of the  
“Delaware will doubtless produce a very respectable  
“number of sailors at the commencement of a war, but  
“as it is notorious that merchants usually navigate their  
“vessels with the smallest possible number of hands, the  
“employment of these men in the navy, in a country  
“where the labouring classes cannot provide substitutes  
“for them, will not only be productive of great inconve-  
“nience to the mercantile interest, but will render it  
“difficult, if not impracticable, for the American navy to  
“procure further recruits from the southern states after  
“it has made its first sweep from the ships of the mer-  
“chants; for surely those who are destined to wrest  
“the sovereignty of the seas from Great Britain, will  
“not be selected from the indolent slaves of the southern  
“planter.

“The states of New York and New England are now  
“old settled countries: the population of the former  
“may become more numerous in the back parts of the  
“country, but an increase in that quarter will add but  
“little to her maritime strength. But New England,  
“and the south-eastern parts of New York, are already  
“so fully peopled, that frequent emigrations take place  
“from them to the inland states. Massachusetts does  
“not, and, we believe we may say, cannot raise within  
“herself bread to support her present population, and

“therefore can never expect to increase her numbers  
“very rapidly ; while the western territory offers to her  
“youth the tempting prospect of obtaining a livelihood  
“in that rich country, upon easier terms than they can  
“procure it within her limits.

“Let it not then be deemed chimerical to say, that  
“America has no immediate prospect of becoming a  
“great naval power.”

The Colonists complain not only of the impolicy of these concessions, as they affect our trade, but because it enables America to increase that power, by which the safety of the British provinces is endangered. “Whatever reliance we may place,” says Mr. Cambreleng\*, in the Report of the Committee on Commerce, appointed by Congress, “on a few poorly garrisoned fortifications, “and however firm our confidence may be in the patriotism and gallantry of our militia, in the last emergencies of war, our main dependence for the defence “of so extensive a frontier *must ever be on our naval power*. This is not to be preserved merely by the “discipline of officers, the accumulation of material, and “the construction of ships of war. The public treasury “is uselessly expended on these objects, where a navy “is unsupported by a hardy and well-disciplined marine. “Our mariners have always been distinguished for “celerity, courage, and enterprise ; and our naval career “was clearly indicated from the moment our commerce “was liberated from colonial restrictions. Navigation “was, accordingly, the favourite object in all our early “legislation. *Not with any view to enlarge private profit, but for a purpose,* MORE WITHIN THE LEGITIMATE PROVINCE OF A WISE AND JUST GO-

\* Page 1, read in the House of Representatives, 8th of September, 1830.

“VERNMENT, *to increase our commercial marine, as a*  
“*powerful auxiliary to our militia and army.* By pa-  
“tronizing our navigation, Government adopted the  
“least expensive mode of creating and organizing a  
“corps of mariners, so indispensably necessary in war.”  
And it is the conviction of the importance of these rights  
of fishery, in contributing to her naval power, that has  
rendered America so anxious to secure them. “These  
“were rights and liberties,” says Mr. Rush, “of great  
“magnitude to the United States. Besides affording  
“profitable fields of commerce, they fostered a race of  
“seamen, conducive to the national riches in peace, or  
“*to defence and glory in war.*”

These views, which I have endeavoured to illustrate, are  
spreading far and wide in the Colonies themselves. Although  
they rejoice in their present relations, and are satisfied with  
the benefits they confer, they are impressed with the convic-  
tion that the benefits of the connection are reciprocal, and  
that they contribute to the national prosperity in a ratio,  
equivalent at least to the expense of their maintenance.  
The system of attack to which they have been exposed  
will eventually, if persevered in, alienate their affection,  
and cool or dissipate their loyalty. They have now  
reached that state of progression and advancement, in  
which they will not patiently submit to these accumu-  
lated injuries. Conscious that they are a benefit, and not a  
burthen, they may be goaded into the assertion of their  
independence. God grant that such catastrophe may  
be long averted ! Our destinies depend upon the opinions  
and sympathies of the British people, and the measures  
of the maternal government. In an hour of provoked  
excitement, the Colonies may assume an attitude which  
will astonish their enemies, and convert their wisdom  
into humility. There is a point, beyond which, say the

moralists, a son ought not to bear even the chastenings of a father. He is forbidden to revenge : but, when labouring with filial diligence and affection for the family support, revilings may justify his bidding adieu—not in anger, but in sorrow—to the paternal roof.

The Colonies, I am satisfied, will not willingly throw themselves into the arms of the Republic : but all the chances ought to be cast, and the possibility of their subjection contemplated. The danger of that event will *at least* be increased, if the protection of the Mother Country be now withdrawn.

If this event should ever happen, the proud supremacy of Great Britain will be at an end. The anticipated march of empire to the West will then be realized, and America will ascend to a pinnacle of prosperity and glory, to equal the most sanguine expectations of her most sanguine admirers.

The possession of Great Britain of those territories on her frontier, by affording points of attack and invasion—the resources they supply both to Great Britain herself, and to the other Colonies—the position which her dominion over them has enabled her to maintain in her negotiations with the Continental Powers—have all had a tendency to soften the tone of American politics, and to infuse some portion of humility into her demands. But, if these were brought under her power, she would ruffle up with new pretensions. She would probably tamper, intrigue, and treat with the Northern Powers of Europe, to compel Great Britain to abandon that system, under the auspices of which her present glory has been reared. She would dictate the terms of admission to her own productions in our ports ; and, judging from her past conduct, in her state of comparative feebleness, her accession of strength and influence would not dispose her to reduce

her Tariff upon British manufactures. *Nor would it be so necessary as now!* With the possession of the coals and minerals of Nova Scotia and New Brunswick—the former exported at present to such large extent for the supply of her steam boats and manufactories, she would be enabled to command one of those elements which now constitute a barrier to her manufacturing success. I know, from personal observation, that the leading men of America look with envious eye upon the mining wealth of the British provinces. I was surprised when I visited the United States, in 1828, to find such minute inquiries directed to me upon the subject at Washington and in the other parts of the Union. I have already stated that two American geologists have completed a survey of Nova Scotia, and published a description and map—whether under the sanction of the Government or no, is a secret which future events may reveal.

In the evidence given before the Committee of the House of Commons, upon Mr. Sadler's "Factory Labour Bill," the \*witnesses state the scarcity and dearness of fuel, and the influence of climate, as two of the leading causes, which render the competition of the United States in the cotton spinning trade not to be apprehended. Their ingenuity in mechanics is said to be superior—some of the late improvements in the machinery being invented in the New World. There is not extant a more curious spectacle than the models of patents deposited in Washington. The difference of wages, and on profits of capital, will daily become less. The progress of society has a tendency to reduce them. The climate of Nova Scotia and New Brunswick, resembling that of Britain in some respects, but on the whole infinitely superior,

\* See Smith's Evidence, 6229. See M'Neil's, 6451.



is admirably adapted for the prosecution of this manufacture. In place of establishments being planted at Patterson or Lowell, their factories would be founded in Halifax and Cape Breton; and the high career of these fine dependencies, which I believe I have not exaggerated, and which, I trust, are destined to uphold the British name and influence in that hemisphere, may be converted to aggrandize America, and to lend new force to her ungracious and implacable hostility. With the limited enjoyment of our fisheries, you see the naval rank to which America has already attained. If she ever acquires a sovereign right over them, rest assured that she will find law to sanction, "*or power to debar,*" either the French or the British from participating in them; and that the same ingenuity which she has displayed in her present equivocal relations, to gain a partial right, will be then exercised to enforce an exclusive enjoyment.

It has been stated by an authority for whose intelligence I feel the highest respect, that from the jealousy which existed between the Northern and Southern States, the latter would not be disposed to favour this union. Since that opinion was mooted, that hostility has been rendered, perhaps, less direct, by the growth of a new and ascending influence in the Confederate Union—I allude, of course, to the New Western States, which have advanced, within the last ten years, in population and wealth in a ratio of vast celerity. My own opinion is, that the acquirement of our North American dependencies would stay the progress of political disunion, and amalgamate their present conflicting interests by the ties of reciprocal advantage. The factories and fisheries of the North would open an

enlarged market for the cotton and agricultural productions of the Southern and Western States—their own internal trade would create a magnificent commerce—the diminishing demand in England would, of course, render the supply of her markets of less consequence,—and the struggle between foreign and local influence, founded upon commercial considerations, would be diminished, if not removed. These Colonies would supply, in short, the iron band to bind up their tottering temple into unity and strength ; and enable them successfully to prosecute that system of “ local independence ” which has been the governing principle of all their past policy.

In addition, it is evident, that the amount of naval force, which the British nation is under the necessity of supporting, must bear a certain relative proportion to those of Foreign Powers. But it so happens, at the present time, that that ratio must be formed, so as to counterbalance the united navies of America and France. Russia, it is true, is aiming at maritime ascendancy ; but she has not yet attained it. Is it wise then to grant to those two powers voluntarily, from our own native resources, the means of increasing their naval strength, and thus certainly, though indirectly, add to the annual estimates, and “ the burthens of an overtaxed people ? ” This, Sir, I assure you is a branch of the expenditure, created by the Colonies, in which their inhabitants feel no sympathy ; and which Mr. Hume and his associate “ lovers of economy,” will without doubt assist you in removing. The military force of these Powers is beyond our control ; but their naval can thus be curtailed ; and, while on the one hand our own national supremacy may be confirmed, on the other the expense of its protection may at the same time be reduced.

## LETTER XI.

*Good faith in Treaties to be observed—The Colonies in this question seek only the fair construction of these Treaties, and a rigorous enforcement of their terms—Methods of Redress—Appeal to the Government, and to Mr. Stanley—Duties on the Importation of Fish from the Colonies ought to be reduced.*

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“ Nations, and their conductors, ought inviolably to observe their promises and their treaties. Nothing adds so great a glory to a prince, and the nation he governs, as the reputation of an inviolable fidelity in the performance of his promises.”—*Vattel's Law of Nations*, 196.

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I PROCEED, Sir, in conclusion, to suggest the measures of relief which the Government have it in their power to adopt,—for, as I have already said, I write with no purpose of embarrassing them : I shall press nothing which is either impossible in itself, or can be construed into a violation of public law.

“ If,” says Vattel, “ we could recede from a treaty, because we found ourselves injured by it, there would be no stability in the contracts of nations.” To this sentiment I most fully respond. I consider the treaties as they exist to have binding and imperative force, founded equally upon the sanctions of natural and international law ;—or, in other words, in the just ascendancy of public morals. The Government is bound to uphold them—the nation to observe and obey. But here their enforcing obligation stops. The Government are equally bound to take care, as the people have an inherent right to demand, that they are legally construed, their

privileges defined, and these hedged in, if required, by the employment of national force. While on the one hand their free enjoyment should be permitted, their violation, on the other, by the same rule of justice, ought to be followed by summary and resolute punishment. The Colonists,—I, on their behalf,—ask nothing more.

The points of adjustment and redress seem to resolve themselves into the three following:—

1. A clear and specific declaration to the French Government, that its subjects are entitled only to a concurrent right of fishing and of curing, on the coasts and shores of Newfoundland, from Cape St. John to Cape Ray; and that if the present claim be persevered in, that the national rights will be guarded in future by the presence of a naval force.
2. A defined and palpable construction ought to be given to the language of the treaty with the United States, touching those “uninhabited” parts of the coast upon which they claim a right to land, that the privilege of curing may be really limited to the unsettled parts. The limits round a settler’s house, to be free from this intrusion, should be reduced to miles and distances. The question should be settled how the opinion of the majority of the inhabitants is to be ascertained—and if a bare majority, eleven in twenty for example, is to grant the privilege. If in the past it has been found that this cannot be enjoyed without a violation of the inalienable rights of the Colonists, it is for the Government, with the aid of the Crown Officers, to ascertain, how far, according to the code of national law, this part of the treaty ought to be respected.
3. The establishment of an efficient coast service, com-

posed of two or three steam boats, to be kept constantly on the shores during the summer season, to prevent the American and French fishing vessels from trespassing within their limits, or prosecuting, a contraband trade. These could be more economically fitted out and appointed than ships of war. They could be built in the Colonies—they might be put “in ordinary” during winter. The Americans and French now, by watching the aspects of the wind, can run into harbour and land their smuggled articles with little danger of being caught—but the presence of a steam vessel, moving at all times, and independent of the winds, would limit their opportunities, and render their detection next to certain.

It is not for me to say how far this question may be mixed up with the still pending negotiation relative to the boundary line between Maine and the province of New Brunswick. By the last message of President Jackson, I perceive that that question is still unsettled; and it will be for you to consider, whether the united consideration of both questions would not lead to the fairer adjustment of the national rights.

From the eminent station you now occupy in the Government, in Parliament, and in the eye of the people, I need scarce say that much is expected from the influence of your character. All your contemporaries give you credit for a resolute—a fearless determination. Many of your adherents predict for you the loftiest career in the history of statesmen, provided you follow up the aspect and spirit of the times. In many circles your name is associated with Pitt\* and Canning—a companionship of which the first genius of the age may be proud. But be

\* See Edinburgh Review for January, 1834, p. 520.

assured, that however prosperous may be your influence here, and whatever amount of gratitude your services may inspire in the hearts of the people, you will enlarge the circle of your admirers and of your fame, if you match in negotiation two nations, to whom we have never submitted in arms. Recollect, Sir, that the present posture is a tarnish, not upon the energies and spirit of the people,—but on the sagacity and firmness of the cabinet! Be yours the office then to vindicate the national honour,—and to protect the rights of the Colonies now consigned to your special guardianship. I trust I have been able to establish *at least successfully* to you, that they constitute one of the main elements of the national prosperity; and, by the upright adjustment of this question, may be made one of the strongest arms of the national defence.

I have already explained the peculiar advantages which the Americans and French enjoy from national protection and bounties. Of these we have no just reason to complain—because they are aspects of the domestic policy of those Governments, with which the Ministry can have no right haughtily to interfere. I refer to them, not with the vain hope of your having the authority to enforce a change of that policy—but, by illustrating the inferior facilities the Colonists enjoy, you may be the more anxious to reduce the Tariff of duties imposed by the Continental nations upon the importation of Colonial fish. If it be true, as Mr. Robertson has said in Parliament, “that the Neapolitan minister, Mr. Mechie, “when the duties on Italian produce were lowered, was “well disposed to have lessened the duty on Newfoundland fish, *had it been pressed*,”—you will, I hope, concede, that your predecessors, in neglecting the opportu-

nity, committed a high dereliction of their duty. If made the subject of negotiation, it may be found that the same disposition still continues. From the present disturbed state of Portugal, the commercial relations with that country will ere long, I presume, be subjected to a new adjustment. It will then be a favourable time, to solicit a free admission for the products of your Colonial fisheries. Other opportunities may arise to secure the same facilities in the different Continental markets. The Colonies seek no rash or precipitate measures in their behalf. They solicit only the friendly exercise of that controlling influence you possess, as one of the leading ministers of the first nation of Europe; and the conviction is impressed upon those who in this country are most intimately allied with Colonial interests, that, if once convinced of the necessity and wisdom of these changes, it will not be long ere you seize or create the opportunity to secure them. Should the political aspects of our country be changed, and these treaties be annulled by an appeal to arms, the Colonists will press their inherent rights in stronger language; and demand the exercise of your influence, and that of the Government, to secure to them exclusively those advantages and resources which Nature has conferred.





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